

THE 2020 DELEGATE SELECTION PLAN OF THE NEW YORK STATE DEMOCRATIC COMMITTEE



**ADOPTED BY THE STATE COMMITTEE ON MAY 22, 2019
UPDATED ON FEBRUARY 26, 2020**

The New York State Democratic Committee (“State Committee”) adopts the following Delegate Selection Plan (“the Plan”) for the selection of delegates and alternates to the 2020 Democratic National Convention (“National Convention”) pursuant to Section 4 of Article II of the Rules of the Democratic Party of the State of New York (“State Party Rules”),

Part One

GENERAL PROVISIONS

SECTION A. Governing Authorities and Terms

1. ***Applicable Rules:*** The selection of delegates and alternates to the National Convention shall be governed by the Charter and By-Laws of the Democratic Party of the United States, the Delegate Selection Rules for the 2020 Democratic National Convention (“National Rules”), the Call for the 2020 Democratic National Convention (“Party Call”), the Regulations of the Rules and By-Laws Committee of the Democratic National Committee (“National Regulations”), the State Party Rules, the New York State Election Law (“Election Law”), and this Plan.

2. ***Priority of Rules:*** If a conflict arises between this Plan and the National Rules, Party Call or National Regulations, the latter authorities shall govern. If a conflict arises between this Plan and the State Party Rules, this Plan shall govern.

3. ***Legislation:*** The State Committee shall take provable positive steps to achieve legislative changes to bring the Election Law into compliance with the National Rules and this Plan. Such positive provable steps shall be taken in a timely manner and shall include the drafting of corrective legislation; public endorsement by the State Committee of such legislation; efforts to educate the public on the need for such legislation; active support by the State Committee advocating enactment of such legislation to the Governor, state legislators, other public officials, State Committee members, and enrolled Democrats; or otherwise encouraging consideration of the legislation by the appropriate legislative committees and bodies.

4. ***Additional Definitions:*** The following additional definitions, together with others specified in this Plan, shall apply in this Plan:

(a) “Assembly District” means the unit of representation, apportioned on the basis of population, from which members of the State Committee are elected;

(b) “Candidate List” means the list the State Chair prepares for each Presidential Candidate of all candidates for delegate and alternate who have filed timely Statements of Candidacy pledging support to such Presidential Candidate;

(c) “Congressional District” means the districts for the election of Members to the U.S. House of Representatives in effect after 2012;

(d) “Delegate Plan Director” means the individual whom the State Chair appoints to serve as principal staff officer in implementing this Plan;

(e) “Delegation” means all the delegates and alternates selected under this Plan;

(f) “DNC Secretary” means the Secretary of the Democratic National Committee;

(g) “Executive Committee” shall mean the Executive Committee of the State Committee comprised of individuals who are (i) officers of the State Committee elected by the State Committee; (ii) at-large representatives elected by the State Committee; (iii) representatives from each judicial district in the State elected by members of the State Committee from within such districts; or (iv) members of the Executive Committee by operation of the State Party Rules.

(h) “Local Board” means the New York City Board of Elections or the Boards of Elections in the counties outside the City of New York with jurisdiction over the various Congressional Districts, whichever applies.

(i) “Presidential Candidate” means an individual who qualifies as such under Rule 12.K of the National Rules and who either has announced his or her candidacy for, or whose name is among those sought to be qualified for the Primary ballot as, a candidate for president of the United States, and also means, wherever applicable, the “Uncommitted” preference;

(j) “Primary” means the primary election to be held on Presidential Primary 2020 in accord with Section A of Part Two of this Plan;

(k) “State Board” means the New York State Board of Elections, 40 N Pearl Street, 5th Floor, Albany, New York 12207-2729;

(l) “State Chair” means the Chair of the State Committee;

(m) “State Committee Office” means the New York City office of the State Committee at 420 Lexington Avenue, Ste. 1613 New York, NY 10170 or such other publicly announced address located in New York City, New York where the State Committee maintains its principal place of business;

(n) “State Convention” means the meeting of the State Committee to be held in Spring of 2020 accordance with Section C of Part Three of this Plan;

(o) “Threshold Percentage” means (i) at least fifteen percent (15%) of the votes cast for all Presidential Candidates in the applicable unit of representation—Congressional District or statewide—from which the delegates and/or alternates are to be elected, or (ii), if no Presidential Candidate receives at least fifteen percent (15%) of the vote in such unit, the threshold shall be half the percentage of the vote received in that district by the front-runner. *(Rule 14.F)*

SECTION B. Procedural Guarantees

1. The following principles shall govern implementation of this Plan:

(a) All public meetings at all levels of the Democratic Party in the State shall be open to all members of the Democratic Party regardless of race, gender, age, color, creed, national origin, religion, ethnic identity, disability, sexual orientation, or economic status (collectively, “status”).

(b) No test for membership in or any oaths of loyalty to the Democratic Party in the State shall be required or used that has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on status.

(c) The time and place for all public meetings of the Democratic Party on all levels shall be fully publicized in such manner as to assure timely notice to all interested persons. Such meetings shall

be held in places accessible to all Party members and large enough to accommodate all interested persons, including persons with disabilities.

(d) The Democratic Party, on all levels, shall support the broadest possible registration without discrimination based on status.

(e) The Democratic Party in the State shall fully publicize and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of the procedures shall be done in such a fashion that all prospective and current members of the State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party.

(f) The Democratic Party in the State shall fully publicize in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all officers and representatives of the State Democratic Party. Such publication shall be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the State Democratic Party will have full and adequate opportunity to compete for office.

(g) That the dates, times, and places for all official delegate selection meetings have been scheduled to encourage participation by Democrats and will begin and end at reasonable hours. That the state party is responsible for selecting the dates and times and locating and confirming the availability of publicly accessible facilities for all official meetings and events related to the process. That the state party will consider any religious observations that could significantly affect participation. *(Rule 3.A & Reg. 4.5.B)*

2. *Public Information:*

(a) On or before September 08, 2019, the State Committee shall publish and make available at no cost this Plan, the State Party Rules, relevant statutes, and a clear and concise explanation of how Democratic voters can participate in the delegate selection process.

(b) The State Committee shall effectively publicize the times, dates, place and rules for the conduct of the State Convention.

3. *Presidential Preference & Party Support:*

(a) All delegates and alternates to the National Convention pledged to a Presidential Candidate shall in good conscience reflect the sentiments of those who elected them.

(b) No delegate or alternate shall be mandated by any law or Party rule to vote contrary to that person's presidential choice as expressed at the time the delegate is elected.

(c) All delegates, alternates and standing committee members must be *bona fide* Democrats who have the interests, welfare and success of the Democratic Party of the United States at heart, who subscribe to the substance, intent and principles of the Charter and By-Laws of the Democratic Party of the United States, and who will participate in the Convention in good faith.

(d) All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference (Rule 13.A.).

(e) In electing and certifying delegates and alternates to the 2020 Democratic National Convention, the New York State Democratic Committee undertakes to assure all Democratic voters in the State full, timely, and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action programs toward that end, and that the delegates and alternates to the Convention shall be selected in accordance with the National Rules, and that the voters in the State will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention, and for the electors pledged formally and in good conscience to the election of these Presidential and Vice Presidential nominees, under the label and designation of the Democratic Party of the United States, and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees of the Democratic National Convention.

4. *Prohibition of Certain Practices:*

(a) Discrimination on the basis of status in the conduct of Democratic Party affairs, including, without limit, in the implementation of this Plan, is prohibited.

(b) At no stage of the delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participation in the delegate selection process. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation.

(c) The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process.

(d) No person shall serve as an automatic or *ex-officio* voting delegate at any level of the delegate selection process by virtue of holding a public or party office, except as provided in Section A.3 (b) (i) in Part Three of this Plan.

(e) No person shall participate or vote in the presidential nominating process—whether in the Primary, post-Primary caucuses, or State Convention—who also participates in the nominating processes of any other political party or independent organization that nominates candidates for public or party office.

(f) No person shall vote in more than one meeting, which is the first meeting in the delegate selection process. (*Rule 3.E. & Reg. 4.7.*)

(g) The Democratic Party ensures that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women.

5. *Integrity of the Voting Process:*

The State Party will take steps to seek enactment of legislation, rules, and policies at the state and local level to enhance voter and election security.

(a) Maintain secure and accurate state voter registration rolls, so that every eligible American who registers to vote has their personal information protected and secure; (*Rule 2.H.1*)

- (b) Implement transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls; (*Rule 2.H.2*)
- (c) Promote the acquisition, maintenance, and regular replacement of precinct based optical scan voting systems; (*Rule 2.H.3*)
- (d) Ensure that any direct recording electronic systems in place have a voter verified paper record; (*Rule 2.H.4*)
- (e) Implement risk limiting post-election audits such as manual audits comparing paper records to electronic records; (*Rule 2.H.5*)
- (f) Ensure that all voting systems have recognized security measures; (*Rule 2.H.6*)
- (g) Use accessible and secure voting machines that make it possible for individuals with disabilities to vote securely and privately. (*Rule 2.H.7*)

6. *Expanding Access:*

In accordance with the Democratic Party’s requirement to assess and improve participation with respect to presidential preference and the delegate selection process, the State Party will establish year-round voter protection programs to support educational, administrative, legislative, and litigation-based efforts to protect and expand the vote and advance election fairness and security, including the six goals set forth below. (*Rule 2.I and 2.I.1*)

- (a) Expand access to voting, including by early voting, no excuse absentee, same-day voter registration, and voting by mail (*Rule 2.I.1.a*) -- the State Committee has advocated with the New York State Legislature to make early voting and no-excuse absentee voting available to all voters. We have made significant progress to expand voting accessibility and continue to advocate for voting by mail. Voters can reach out to their County BOE and/or the New York State Democratic Committee for more information on how to participate in early voting or no-excuse absentee voting. In 2020, New York Democrats will be able to vote early at select polling sites between April 18 and April 26;
- (b) Ensure that voting locations are accessible, fairly placed, and adequate in number, and have a sufficient number of voting machines by advocating with the New York State and individual County BOEs on polling locations and the quantity of polling sites; (*Rule 2.I.1.b*)
- (c) Speed up the voting process and minimize long lines by working in coordination with the NYSBOE to publicize polling times and availability; (*Rule 2.I.1.c*)
- (d) Eliminate onerous and discriminatory voter identification requirements by sending volunteers as poll monitors throughout the State; (*Rule 2.I.1.d*)
- (e) Count and include in the final total ballots from voters who are eligible to vote but cast their ballots in the wrong precinct, for offices for which they are eligible to vote by making available legal resources through the New York Democratic Lawyers Council; and (*Rule 2.I.1.e*)
- (f) Facilitate military and overseas voting by coordinating with the NYSBOE to publicize and make available options for these voters, and will be sent out by the State Board on or before March 13, 2020. (*Rule 2.I.1.f*)

7. *Encouraging Participation:*

As part of encouraging participation in the delegate selection process by registered voters, the State Party supports efforts to make voter registration easier, including supporting: (*Rule 2.I.2*)

- (a) Voter registration modernization, including online voter registration; (*Rule 2.I.2.a*)
- (b) Pre-registration of high school students so that they are already registered once they reach voting age; (*Rule 2.I.2.b*)
- (c) Restoration of voting rights to all people who have served the time for their criminal conviction, without requiring the payment of court fees or fines; (*Rule 2.I.2.c*) and
- (d) Automatic registration of voters for the Democratic presidential nominating process. (*Rule 2.I.2.d*)
- (e) The State Party will take all feasible efforts to encourage non-affiliated voters and new voters to register to participate, to provide simple procedures through which they may do so, and to eliminate excessively long waiting periods for voters who wish to register or to change their party enrollment status.

8. *Resist Voter Suppression:*

The State Party has taken steps to ensure an open and inclusive process and resist attempts at voter suppression and disenfranchisement, including revising State Party rules and encouraging administrative rules, legislation, or considering litigation to allow achieving state laws that allow voters currently enrolled in a political party to switch parties by at least as late as 60 days prior to the Primary Election, and that allow unaffiliated voters to enroll in a party by at least 25 days prior to the Primary Election. (*Rule 2.J and Rule 2.J.1*)

SECTION C. Administrative Provisions

1. *Responsibilities of the State Chair:*

- (a) The State Chair, or individual(s) whom the State Chair may designate from time to time under the supervision of the Delegate Plan Director, shall perform the functions this Plan imposes on that office.
- (b) Subject to the provisions of this Part, the State Chair shall make all interpretations of this Plan and shall do so in consultation with the General Counsel of the State Committee. The decision of the State Chair on the timeliness of any filing with the State Committee Office shall be final.
- (c) The State Chair shall allocate pledged delegates and alternates among the Presidential Candidates in accord with this Plan. Whenever this Plan provides for the allocation or election of pledged delegates or alternates, the State Chair's allocation or election shall begin with the Presidential Candidate who received the highest vote in the applicable unit of representation and proceed in order in accord with the next highest vote-getter. Any ties shall be resolved by the drawing of lots.

(d) Whenever this Plan provides for the State Chair to compute a percentage of the votes cast for a Presidential Candidate in a particular unit of representation, or to multiply such percentage by the number of delegates or alternates to be allocated in that unit, the State Chair shall compute the percentage as a whole number with a fractional remainder of three (3) decimal points. If the fourth decimal point is below five (5), the point shall be disregarded; if five (5) or above, then the figure in the third decimal point shall be increased by one (1). Whenever these computations produce a tie in the fractional remainders, the tie shall be resolved in favor of the Presidential Candidate who received the higher vote in the applicable unit of representation unless that vote, too, is a tie, in which case drawing lots shall resolve the tie.

(e) In preparing each Candidate List, the State Chair shall (i) organize the candidates by category of delegate and alternate and by the unit of representation from which the candidates seek election and (ii) set forth all the information contained in the Statement of Candidacy or otherwise supplied to the State Committee regarding each candidate.

2. ***Notices and Submissions:*** All notices and other papers required by or relating to this Plan shall be filed with the State Committee Office.

3. ***Facsimiles:*** Whenever any paper is filed with the State Committee Office under this Plan, including any signed paper, the State Chair shall accept a “fax,” email, or other electronic transmission of the paper. For purpose of determining the timeliness of any such filing, the filing shall be complete only upon actual receipt of the notice or submission at the State Committee Office. The person(s) filing such copy shall be responsible to ensure its receipt by the State Committee Office. The main fax number for the State Party is 212-725-8867. Emails can also be sent directly to Marie Parker, the Office Manager, at mariep@nydems.org. The main number for the State Committee is 212-725-8825.

4. ***Authorized Representatives:*** Whenever this Plan provides for communication with or action by a Presidential Candidate, such communication may be with or action taken by the Presidential Candidate’s authorized representative(s). Each Presidential Candidate shall certify in writing to the State Chair the name(s) of his or her authorized representative(s) as soon as reasonably practicable but in any event, for Presidential Candidates then seeking the Democratic nomination for president of the United States, no later than November 15, 2019.

5. ***Amendments:*** In consultation with the Executive Committee, the State Chair is authorized to make amendments or modifications to this Plan solely as may be necessary to conform this Plan to the National Rules and the Election Law.

Part Two
DESIGNATION OF PRESIDENTIAL CANDIDATES

SECTION A. Expressing Presidential Preference

1. ***Presidential Preference Primary:*** For the purpose of determining presidential preference, there shall be a Democratic Presidential primary election in 2020, which shall be held in accordance with the Election Law, except that, if only one Presidential Candidate qualifies for the ballot under Section B of this Part, then no Primary shall be held and such Candidate shall be awarded all pledged delegates and alternates. This is the first determining step in the primary process. The Presidential Preference Primary will be held on April 28, 2020.

2. ***Primary Participation:*** The Democratic Party shall accept as eligible to vote in its primary:

- (a) enrolled Democratic voters whose party preference has been publicly recorded and in timely fashion in accordance with the Election Law. (Election Law Section 1-104(9)); and
- (b) registered voters who mail or deliver a Change of Enrollment application to the Board of Elections changing their enrollment status up until February 14 of the same year.

New registered voters who wish to participate in the Primary must register as Democrats 25 days prior to election. Pursuant to Election Law Section 5-102, New registered voters must be at least 18 years old by the date of the primary in which they wish to vote.

Registered voters who are unaffiliated are still subject to the February 14 deadline. The New York State Democratic Committee will continue to advocate for the deadline to be extended to provide the same allowance provided to newly registered voters to be provisioned for unaffiliated voters to vote in a Presidential Primary.

Prospective voters can register in person at the county board of elections or at any New York State Agency-based voter registration center. Prospective voters may also submit voter application forms at the New York State Department of Motor Vehicles, either in person or on their web site if one already has DMV-issued identification. Prospective voters can request a New York State Voter Registration form by mail by entering their name directly into our mailing list database. Prospective voters can call the State Board's 1-800-FOR-VOTE hotline to request a voter application.

3. ***Binding Results:*** Subject to the provisions of Part Three of this Plan, all pledged delegates and alternates shall be allocated among the Presidential Candidates in proportion to the votes such Candidates receive in the Primary, except that a Presidential Candidate who fails to receive the 15% threshold percentage of the vote in the applicable unit of representation shall not receive any delegates or alternates from that unit, and further provided that a Presidential Candidate who fails to receive the 15% threshold percentage of the vote statewide shall not receive any delegates or alternates.

4. Write-in candidates are not allowed on the ballot.

SECTION B. Ballot Access for Presidential Candidates

1.) ***Petition Requirements:*** To qualify the name of an individual on the Primary ballot as a candidate for the Democratic nomination for president of the United States, any enrolled Democrat or group of enrolled Democrats shall circulate a designating petition conforming to the Election

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Law governing petitions for statewide office. Five thousand (5,000) enrolled Democrats in the State shall sign the petition. The deadline for submitted petitions is February 6, 2020. (*Rules 12.B, 15.A & 15.E, and NYS Election Law*) Sample petition forms can be found on the Board of Elections website (elections.ny.gov), State Party website (<https://act.nydem.org/petitions>), and at any state or county Board of Elections office. Completed petition forms must be sent to the state Board of Elections:

NYS Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

Faxes and emails are not accepted by the State Board.

2.) ***Declination of Candidacy:*** Any eligible individual who is named as a Presidential Candidate in a timely and legally sufficient designating petition shall appear as such a Candidate on the Primary ballot throughout the State unless, that individual files a declination of candidacy with the State Board in the form the Election Law prescribes.

3.) ***Primary Ballot:*** On the Primary ballot, a lever or other comparable mechanism shall appear next to the name of each Presidential Candidate or, in the case of paper ballots, a space shall appear under, or next to or adjacent to the name of each Presidential Candidate or ‘Uncommitted’, so that each voter is able to cast a vote directly for the Presidential Candidate of their choice. The State Board shall determine the position of Presidential Candidates on the Primary ballot by drawing lots among the Presidential Candidates.

Part Three
SELECTION OF DELEGATES AND ALTERNATES

SECTION A. Number of Delegates and Means of Selection

1. ***Number of Delegates and Alternates:*** In accord with the Party Call, the Delegation shall consist of three hundred and twenty (320) delegates and twenty-three (23) alternates. Of the Delegation, two hundred ninety-seven (297) delegates and all alternates shall be pledged to a Presidential Candidate. The remainder of the Delegation shall be automatic delegates. (*Call I.J*)

2. ***Equal Division:*** The Delegation shall be equally divided between male and female delegates, and, separately, male and females alternates, with a variance in each group (“the Variate”) no greater than one. The Variate in one group shall be the opposite gender of any Variate in the other group. In the case of gender non-binary delegates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. (*Rule 16.C*)

3. *Timing, Manner & Order of Selection:*

(a) Except as otherwise expressly set forth in Part Four of this Plan, all steps in the process of selecting delegates and alternates shall take place during 2020. (*Rules 1.F & 12.B*)

(b) The Delegation shall be selected in the following order by the means set forth below:

(i) The twenty-three (23) members of the Democratic National Committee from New York, twenty-one (21) Democratic Members of U.S. Congress, one (1) Democratic Governor and one (1) Distinguished Party Leaders shall be automatic unpledged delegates;

(ii) One Hundred Eighty-four (184) pledged delegates shall be elected from Congressional Districts in the Primary or, if no one is elected as a result of no district delegate candidates having properly filed to appear on the ballot, refer to Section B.8.a of this part.

(iii) Twenty-nine (29) pledged delegates who qualify as party leaders or elected officials shall be elected at the State Convention; and

(iv) Sixty-one (61) pledged at-large delegates shall be elected at the State Convention.

(v) Twenty-three (23) pledged alternates shall be elected at the State Convention.

4. *Slate-Making and Ballot Position:*

(a) Any individual or group of Democrats may sponsor or endorse one or more candidates, including a slate of candidates, for delegate at any stage in the delegate selection process, provided that a slate of more than one candidate for district delegate in a Congressional District must be equally divided between males and females with a variance no greater than one. In the case of gender non-binary delegates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. (*Rule 16.C*)

(b) No slate sponsored by any individual or group of Democrats may, by virtue of such endorsement, receive preferential treatment or a preferential place on a respective delegate selection ballot or be publicly identified on a ballot as the “official” slate of delegates, as the case may be,

and all slates must meet identical qualifying requirements for appearing on a respective ballot at all levels of the delegate selection process.

(c) The order of the names of all persons who are candidates for delegate and alternate on any ballot to be used for voting at any stage of the delegate selection process shall be determined by lot, except that candidates for the same position on a slate shall be grouped together in the order in which the names of the candidates are filed as a slate with the State Board or the Local Board, whichever applies, and shall be deemed one person for purposes of the draw.

SECTION B. Election of District Delegates

1. ***Apportionment:*** The number of delegates from each Congressional District, determined by apportioning the total number of delegates to be elected at the district level among the Congressional Districts based on a formula that gives equal weight to (a) the population of the Congressional District according to the 2010 census and (b) the average vote for the Democratic candidate for president in the 2012 and 2016 general presidential elections, shall be: *(Rule 8.A)* This apportionment includes bonuses awarded to the New York Delegation. In the case of gender non-binary delegates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. *(Rule 16.C)*

CD	DEL	
CD 1	6	(3 M, 3 F)
CD 2	6	(3 M, 3 F)
CD 3	7	(3 M, 4 F)
CD 4	7	(4 M, 3 F)
CD 5	8	(4 M, 4 F)
CD 6	6	(3 M, 3 F)
CD 7	7	(3 M, 4 F)
CD 8	8	(4 M, 4 F)
CD 9	8	(4 M, 4 F)
CD 10	7	(4 M, 3 F)
CD 11	6	(3 M, 3 F)
CD 12	8	(4 M, 4 F)
CD 13	8	(4 M, 4 F)
CD 14	6	(3 M, 3 F)
CD 15	7	(3 M, 4 F)
CD 16	8	(4 M, 4 F)
CD 17	7	(4 M, 3 F)
CD 18	6	(3 M, 3 F)
CD 19	6	(3 M, 3 F)
CD 20	7	(3 M, 4 F)
CD 21	6	(3 M, 3 F)
CD 22	6	(3 M, 3 F)
CD 23	6	(3 M, 3 F)
CD 24	7	(4 M, 3 F)
CD 25	7	(3 M, 4 F)
CD 26	7	(4 M, 3 F)
CD 27	6	(3 M, 3 F)
TOTAL DEL	184	(92 M, 92 F)

2. *Eligibility*: To be eligible to be elected as a delegate from a Congressional District, an individual must:

- (a) Be an enrolled Democrat residing in the Congressional District in which the person seeks to run;
- (b) File a Statement of Candidacy in conformity with paragraph 3 of this section;
- (c) Qualify for the ballot in the Primary by filing a petition in conformity with paragraph 4 of this section or be duly substituted for a person who has so qualified but declines under paragraph 6 of this section;
- (d) Not be rejected by his or her preferred Presidential Candidate under paragraph 5 of this section;

and (e) Not otherwise decline or be disqualified under paragraph 6 of this section.

3. *Statements of Candidacy*:

(a) Each individual who wishes to be eligible for election as a delegate from a Congressional District must file a Statement of Candidacy with the State Committee Office no earlier than January 2, 2020 and no later than February 4, 2020. (*Pursuant to NYSBOE*). For purpose of determining timeliness, filing shall be complete only upon actual receipt of the Statement at the State Committee Office. Statement of Candidacy forms may be found at nydems.org or at the State Party office and must be returned to either delegates@nydems.org or the State Party office. The State Committee shall submit a list of all candidates to the State Board by February 18, 2020.

(b) A Statement of Candidacy must be in writing and contain:

- (i) The individual's name and voting address;
- (ii) The individual's preference for a Presidential Candidate;
- (iii) A signed pledge of support for such preference;
- (iv) The Congressional District in which the individual is an enrolled voter and intends to be a candidate;
- (v) A telephone number at which the individual may be reached during business hours; and
- (vi) Any status information as the individual may desire to set forth.

(vii) "State Committee Office" means the New York City office of the State Committee at 420 Lexington Avenue, Ste. 1613, New York, NY 10170 or such other publicly announced address located in New York where the State Committee maintains its principal place of business.

(c) An individual may file only one Statement of Candidacy for a position on the Primary ballot as a district delegate and may not pledge support for more than one Presidential Candidate. In the

event an individual files more than one Statement of Candidacy, the State Chair shall disregard all but the last- received Statement.

(d) Forms setting forth the information required in a Statement of Candidacy shall be available at the State Committee Office beginning January 2, 2020, but the Statement need not be on such forms to qualify. Substantial compliance with the foregoing requirements shall be sufficient to qualify a Statement of Candidacy, but in no event shall a Statement lacking a signed pledge of support for a Presidential Candidate be accepted.

(e) An individual who files a Statement of Candidacy in conformity with this paragraph shall be considered a *bona fide* supporter of the Presidential Candidate whom the individual has pledged to support unless such Candidate rejects the individual in accord with this Plan.

4. Petition Requirements: To place the name of an eligible individual on the Primary ballot in a Congressional District as a candidate for district delegate, any enrolled Democrat or group of enrolled Democrats shall circulate a designating petition. Designating petitions for district delegate shall be circulated beginning on December 31, 2019 as determined by the State Board of Elections. Such petition shall conform to the Election Law and be signed by one-half of one percent (.5%) of the enrolled Democrats in the Congressional District or five hundred (500), whichever number is less. Petitions must be submitted to the Board of Elections that corresponds with the prospective candidate's congressional district below between February 3 and February 6, 2019. Provision shall be made for the State Board to receive the names and addresses of all persons who have filed petitions in accord with this paragraph or been substituted for such persons in accord with paragraph 6 of section B of this Part. (*Rule 15.C*) Petition forms can be found on the State Party website (nydems.org), the Board of Elections website (elections.ny.gov), and at any county Board of Elections office. Completed petition forms must be sent to the following Boards of Elections:

CD 1 - Suffolk County Board of Elections

Yaphank Ave
PO Box 700
Yaphank, NY 11980-0700

CDs 2 and 3 - State Board of Elections

40 North Pearl Street
5th Floor
Albany, NY 12207

CD 4 - Nassau County Board of Elections

240 Old Country Road, 5th Floor
P.O. Box 9002
Mineola, NY 11501

CD 5 - State Board of Elections

40 North Pearl Street
5th Floor
Albany, NY 12207

CDs 6 through 15 - New York City Board of Elections

32 - 42 Broadway, 7 Fl
New York, NY 10004

CDs 16 through 24 - State Board of Elections

40 North Pearl Street
5th Floor
Albany, NY 12207

CD 25 - Monroe County Board of Elections

39 W. Main St.
Rochester, NY 14614
CDs 26 and 27 - State Board of Elections
40 North Pearl Street
5th Floor
Albany, NY 12207

5. Right of Rejection:

- (a) No later than 5:00 p.m. on February 10, 2020 the State Chair shall deliver a Candidate List at the State Committee Office at 420 Lexington Ave. Suite 1613, New York, NY to each Presidential Candidate who is entitled to reject any pledged district level delegates and alternates. Candidate lists can also be provided via email, upon request.
- (b) A Presidential Candidate may reject any candidate for pledged district level delegates and alternates appearing on the Candidate List as not being a *bona fide* supporter of that Presidential Candidate by filing a written rejection with the State Chair at the State Committee Office no later than 5:00 p.m. on February 14, provided that a Presidential Candidate may not reject a candidate for pledged district level delegates and alternates unless there remain at least two (2) candidates for each such position to which the Presidential Candidate is entitled. Lists of approved delegate candidates may be hand delivered, mailed, emailed (delegates@nydems.org), or faxed (646-597-6195) to the State Party.
- (c) National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate (including uncommitted status). (Rule 12.E. & Reg. 4.24.)
- (d) The failure of a presidential candidate to respond with the list of approved delegate and alternate candidates by the deadline is deemed approval unless otherwise notified. (*Rule 13.D*)
- (e) The State Party shall provide the State Board with the lists of approved delegate and alternate candidates no later than 5:00 p.m. on February 18, 2020.
- (f) The State Party must certify to the RBC whether a presidential candidate has used their best efforts to submit a list of delegate candidates who meet the affirmative action considerations within three days of receiving the list of approved delegate candidates.

6. Primary Ballot:

- (a) The State Board or each Local Board, whichever applies, shall prepare a list of all eligible candidates for district delegate and certify to the State Committee.
- (b) The name of each such candidate for district delegate shall appear on the Primary ballot under, or next to, or under or adjacent to the name of, and reflect the candidate's preference for, the Presidential Candidate to whom such delegate or alternate candidate has pledged support, together with an indication of each candidate's gender by the designation "(M)" or "(F)" or "(NB)" immediately following the name of the candidate. (*Rule 16.C*) The ballot shall indicate the number of delegates to be elected from the Congressional District. There shall be a lever or other comparable mechanism next to the name of each candidate for district delegate or, in the case of

paper ballots, a space next to the name of such candidate, so that each Primary voter shall be able to indicate a preference for the candidates of his or her choice.

7. Allocation among Presidential Candidates:

(a) A Presidential Candidate who does not receive the Threshold Percentage of 15% in a Congressional District shall not be eligible to receive any district delegates in that Congressional District. If only one Presidential Candidate reaches the Threshold in the Congressional District, then that Presidential Candidate shall be entitled to all district delegates in the Congressional District.

(b) To ensure the district-level delegates are equally divided between men and women (determined by gender self-identification) delegate positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preference. This assignment of delegate positions will continue with the next highest vote-getting preferences in descending order, with positions assigned to either male and female alternating by gender as mathematically practicable, until the gender of each position has been assigned. In the case of non-binary gender delegates, they shall not be counted in either the male or female category and the remainder of the delegation shall be equally divided. (*Rule 6.C., Rule 6.C.1 & Reg. 4.10*)

(c) In order to proportionally allocate the correct number of delegates to each candidate, these steps must be followed.

(i) Convert the percentage of the vote each candidate received into decimals to the thousandth place (three digits after the decimal point).

(ii) Multiply the decimals by the number of delegates being allocated in the congressional district.

(iii) Take the whole number (do not round up) each candidate is left with and allocate that number of delegates to them.

(iv) If the number of district delegates in a Congressional District thus allocated is less than the number of delegates for that Congressional District, then the State Chair shall allocate any remaining delegates, one at a time, to the eligible Presidential Candidates based on the fractional remainders, starting with the eligible Presidential Candidate who received the largest fractional remainder and proceeding in descending order until all remaining delegates have been allocated.

8. Equal Division of District Delegates:

(a) The district-level delegates as a whole, and within each Congressional District, shall be equally divided by gender insofar as mathematically practicable. To assure such equal division among district- level delegates as a whole, the allocation set forth in paragraph 1 of section B of this Part shall determine the gender division between males and females in each of Congressional District, such allocation having been made by lot to set the gender preference in the first Congressional District to which an odd number of delegate positions is apportioned under paragraph 1 of section B of this Part and thereafter alternating the advantaged gender in each succeeding Congressional District having an odd number of delegate positions. In the case of gender non-binary delegates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. (*Rule 16.C*)

(b) To assure equal division within each District, delegate positions will be assigned (i) in Congressional Districts with an even number of delegates (A) first to the candidate for delegate who receives the highest vote total among those pledged to the Presidential Candidate who receives the highest vote total in the District and (B) thereafter, alternating by gender, first to the next highest vote-getter among delegate candidates pledged to the highest vote-getting Presidential Candidate and then to the top vote-getters among delegate candidates for the next highest vote-getting presidential preferences in descending order until all positions are assigned; and (ii) in Congressional Districts with an odd number of delegates (A) first to the candidate for delegate who receives the highest vote total among those pledged to the Presidential Candidate who receives the highest vote total in the District unless such candidate for delegate is of a gender disadvantaged in that District, in which event the candidate for delegate of the advantaged gender with the highest total among those pledged to the Presidential Candidate who receives the highest vote total in the District and (B) thereafter, alternating by gender, first to the highest vote- getter among delegate candidates pledged to the highest vote-getting Presidential Candidate and then to the top vote-getters among delegate candidates for the next highest vote-getting presidential preferences in descending order until all positions are assigned.

(c) If a Presidential Candidate appearing on the Primary ballot withdraws his or her candidacy after March 3, 2020, the State Chair shall allocate district delegates to that Presidential Candidate as if such Candidate had not withdrawn.

9. Unfilled District-Level Positions:

(a) If a Presidential Candidate is entitled to more district delegates within a Congressional District than there were candidates for delegate pledged to that Presidential Candidate on the ballot in that District, then prior to the selection of Party Leaders and Elected Officials at the 2020 State Party’s Convention, the members of the State Committee who represent that Congressional District shall fill the positions in post-Primary caucuses held upon ten (10) days’ written notice from the State Chair in conformity with the provisions of section B in Part One of this Plan. The post-primary caucus will occur as the first order of business at the State Convention or at a meeting prior to the State Convention.

(b) To be eligible to be elected as a district delegate to a position unfilled in the Primary, an individual must be an enrolled Democrat in that Congressional District who files a Statement of Candidacy at the State Committee Office, 420 Lexington Avenue, Ste. 1613 New York, NY 10170, complying with paragraph 3(b) of this section pledging support for the Presidential Candidate entitled to the delegate position. Such a Statement must be filed at the State Committee Office no earlier than the day after the Presidential Primary and received at that Office no later than seven (7) days prior to the date of election to select delegates for the unfilled positions. An individual may file such a Statement regardless of whether that individual filed a Statement of Candidacy to qualify for the Primary ballot or a pledge of support for a different Presidential Candidate, but the provisions of paragraphs 3(c) through 3(e) of this section shall otherwise apply.

(c) No later than 5:00 p.m. two days prior to the date of the election, as established in Section B.10 (a) of this Part, the State Chair shall submit a Candidate List at the State Committee Office to each Presidential Candidate entitled to an unfilled delegate position. The Presidential Candidate may reject any candidate appearing on the Candidate List as not being a *bona fide* supporter of that Presidential Candidate by notifying the State Chair at the State Committee Office of any such rejection no later than one (1) day prior to the date of the election, as established in Section B.10(a) of this Part, and shall be no later than the day prior to the Spring Meeting of the New York State

Democratic Committee which will be held in May 2020, provided that the Presidential Candidate may not reject such candidates unless there remain: (*Rule 13.D.2*)

- (i) At least three (3) candidates for each position to be filled and
- (ii) the candidates are sufficient to assure that the Presidential Candidate's delegates in that District are equally divided by gender with a variance no greater than one.
- (d) The failure of a presidential candidate to respond with the list of approved delegate and alternate candidates by the deadline is deemed approval unless otherwise notified. (*Rule 13.D*)
- (e) District level delegates and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate. (*Rule 13.E & Reg. 4.24*)
- (f) The State Chair shall appoint a person to convene and preside at each caucus this paragraph requires ("Caucus Chair"), and, after notifying the candidates who have been rejected, the State Chair shall certify to the Caucus Chair the names of all candidates for district delegate who are eligible under this section to be elected to an unfilled position. The provisions of paragraphs 6(b) and 6(c) in section D of this Part shall apply to the conduct of the caucuses as if written for them.

10. ***Certification:*** Within twenty-one (21) days of their selection, the State Board of Elections or Local Board, whichever applies, shall certify the results to the State Chair, who will then deliver to the DNC Secretary the names of the candidates who are elected to fill the positions of district delegate allocated to each Presidential Candidate.

SECTION C. Selection of Automatic Delegates

1. ***Automatic Party Leaders and Elected Official Delegates:*** On or before March 6, 2020, the DNC Secretary shall confirm to the State Chair the following automatic party leaders and elected officials as delegate members of the Delegation: (*Call I.J*)

- (a) The Members of the Democratic National Committee who legally reside in the State as confirmed by the DNC Secretary;
- (b) The Democratic Members of the United States Senate and Democratic Members of the United States House of Representatives from this State;
- (c) The Democratic Governor; and
- (d) One Distinguished Party Leader.

2. ***Certification:*** The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of New York's automatic delegates ten (10) days after the completion of New York's Delegate Selection Process.

3. ***Elected Pledge Delegates:*** An automatic delegate may run and be elected as a pledged delegate, and if they are elected and certified as a pledged delegate, the individual will not serve as an automatic delegate at the National Convention. (*Call I.J*)

4. ***Equal Representation:*** For purposes of achieving equal division between delegate men and delegate women within the state's entire convention delegation (determined by gender self-identification), the entire delegation includes all pledged and Automatic delegates, including those who identify as male or female. (*Rule 6.C & Reg. 4.9*)

SECTION D. Election of Pledged Party Leader and Elected Official Delegates

1. ***Eligibility:*** An individual may be selected as an PLEO delegate under this section regardless of whether the individual previously filed a Statement of Candidacy for a different position as delegate or otherwise submitted a pledge of support for a Presidential Candidate. To be eligible to be elected as a pledged party leader and elected official delegate at the State Convention, an individual must: (*Call I.J*)

- (a) Be an enrolled Democrat currently holding a Democratic Party position or elective public office in the State of New York
- (b) File a Statement of Candidacy in conformity with paragraph 2 of this section;
- (c) Not be rejected by his or her preferred Presidential Candidate under paragraph 3 of this section; and
- (d) Not be disqualified under paragraph 4 of this section.

2. ***Statements of Candidacy:***

(a) Each party leader and elected official who wishes to be considered by the State Convention for election as a pledged party and elected official delegate shall file a Statement of Candidacy at the State Committee Office at 420 Lexington Avenue, Ste. 1613 New York, NY 10170 or emailed to delegates@nydems.org. Such statement must be received at the State Committee Office no earlier than January 2, 2020 and no later than 5:00 p.m. on April 12, 2020. Such forms can be accessed at the State Party's website or at the State Committee Office.

(b) In addition to the information required in paragraph 3(b) of section B of this Part, the Statement of Candidacy shall include the party or elective public office held by the candidate. Statements of candidacy must include a pledge of support for a singular presidential preference. (*Rule 10.A.3*) Statements of candidacy may be accepted immediately post-Primary election.

(c) A person is eligible for election as a pledged party leader and elected official delegate regardless of whether he or she filed a Statement of Candidacy for another category of delegate or alternate or a pledge of support for a different Presidential Candidate. The provisions of paragraphs 3(c) and 3(e) of Section B of this Part shall otherwise apply.

3. ***Right of Rejection:***

(a) No later than 5:00 p.m. on April 21, 2020 the State Chair shall deliver a Candidate List at the State Committee Office to each Presidential Candidate who is entitled to reject any pledged party and elected official delegates.

(b) A Presidential Candidate may reject any candidate for pledged party and elected official delegate appearing on the Candidate List as not being a *bona fide* supporter of that Presidential Candidate by filing a written rejection with the State Chair at the State Committee Office no later than 5:00 p.m. on May 9, provided that a Presidential Candidate may not reject a candidate for pledged party and elected official delegate unless there remain at least two (2) candidates for each

such position to which the Presidential Candidate is entitled. An additional opportunity for Presidential candidates' right of review will occur after all district-level delegate elections have occurred if a special post-primary caucus, as detailed in Section B.10 of this Part, is required.

(c) National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate (including uncommitted status). (Rule 12.E. & Reg. 4.24.)

(d) The failure of a presidential candidate to respond with the list of approved delegate and alternate candidates by the deadline is deemed approval unless otherwise notified. (*Rule 13.D*)

4. Disqualification: Any candidate for pledged party leader and elected official delegate who files a timely Statement of Candidacy pledging support to a Presidential Candidate entitled to receive one or more such delegates and who is not rejected by his or her preferred Presidential Candidate shall appear as such a candidate on the ballot at the State Convention unless the Presidential Candidate to whom the individual is pledged withdraws as a Presidential Candidate before the election of such delegates.

5. Allocation among Presidential Candidates:

(a) To be eligible for an allocation of one or more pledged party leader and elected official delegates, a Presidential Candidate (i) must have received at least the 15% Threshold Percentage of the total statewide vote cast for all Presidential Candidates and (ii) must not have withdrawn as a Presidential Candidate. If only one current Presidential Candidate reached the Threshold Percentage in the State, such Presidential Candidate shall be entitled to all pledged party leader and elected official delegates.

(b) In accordance with paragraph 1(e) of Section C of Part One of this Plan, the State Chair shall allocate the pledged party leader and elected official delegates among eligible Presidential Candidates in the same manner based on the total votes cast in the State for all such eligible Presidential Candidates as used in allocating at-large delegates under paragraph 8 of Section B of this Part.

(c) In allocating pledged party and elected official delegates to each eligible Presidential Candidate, the State Chair shall take account of the division by gender of the district delegates pledged to that Candidate.

6. Procedures at the State Convention:

(a) The State Chair shall appoint a Nominating Committee, of which the State Chair shall be chair, comprised of at least seven persons, including (i) at least one (1) representative of each Presidential Candidate entitled to receive delegates at the State Convention, such representative to be designated by the Presidential Candidate, and (ii) at least three (3) representatives of the Affirmative Action Committee established in accord with Part Four of this Plan.

(b) The State Convention shall consist of the members of the State Committee elected in each Assembly District in conformity with the Procedural Guarantees set forth in Part One of this Plan either (i) at the Democratic primary election held April 28, 2020 or (ii), in the case of a vacancy arising thereafter, by the State Committee in accordance with the State Party Rules. The State Chair

shall appoint a credentials committee comprised of at least three persons to certify the credentials of the State Committee members.

(c) The following procedures shall govern the election of delegates and alternates at the State Convention, which is held in May 2020:

(i) No less than forty percent (40%) of the members of the State Committee present in person or by proxy shall constitute a quorum. Less than a quorum may adjourn the Convention and notice of such adjournment shall be given in the same manner as notice of the meeting.

(ii) The members of the State Committee in each Assembly District shall have weighted votes proportional to the Democratic voting strength based on the vote for the Democratic candidate for Governor in such District in the 2018 general election pursuant to the State Party Rules.

(iii) The use of proxies shall be limited as follows: A duly accredited State Committee member, may designate in writing another duly accredited member of the State Committee, who is to vote a non-transferable proxy at the Convention, provided that no member of the State Committee may hold more than one (1) proxy at a time.

(iv) The State Chair shall establish the balloting format and procedures for the Convention. The balloting format and procedures shall be consistent with this Plan and fully described in the notice of the State Convention that is sent by the State Chair.

(v) Voting for delegates or alternates at the Convention shall be done only at public meetings complying with the provisions of Part One of this Plan, including that no ballots shall be conducted in secret.

7. Voting at the State Convention:

(a) On or the day prior to the Spring Meeting of the New York State Democratic Committee, which will be held in May 2020, the Nominating Committee shall certify the ballots to be used by the State Convention for the election of such delegates. The Nominating Committee shall have no authority other than to assure that such ballots conform to the requirements of these Rules. The State Convention shall elect all pledged party leader and elected official delegates to which each Presidential Candidate is entitled from the list that the Nominating Committee certifies.

(b) In the electing pledged party leader and elected official delegates, the State Convention shall give priority of consideration in the following order to: (i) Democratic big city mayors and State-wide Democratic elected officials; (ii) Democratic State legislative leaders; (iii) Democratic State legislators; and (iv) other State, county and local elected Democratic officials and party leaders. This paragraph shall not be read to mandate the choice of any specific individual. Every effort shall be made to achieve equal division between men and women and this Plan's representational goals in electing the pledged party leader and elected official delegates. Automatic delegates who choose to run for PLEO delegate will be given equal consideration to big city mayors and statewide elected officials.

8. ***Certification:*** Within ten (10) days of their election, the State Chair shall certify to the DNC Secretary the names of the persons elected to serve as pledged party and elected official delegates and their preferred Presidential Candidate.

SECTION E. Election of Pledged At-Large Delegates and Alternates

1. Eligibility: An individual may be selected as a at-large delegate under this section regardless of whether the individual previously filed a Statement of Candidacy for a different position as delegate or otherwise submitted a pledge of support for a Presidential Candidate. To be eligible to be elected as a pledged at-large delegate or alternate, an individual must:

- (a) Be a registered voter residing in New York State and an enrolled Democrat;
- (b) File a Statement of Candidacy in conformity with paragraph 2 of this section that must include a pledge of support for a singular presidential preference;
- (i) The statement of candidacy designates a singular presidential preference and that this preference may be modified by submitting an updated pledge prior to the deadline. (*Rule 13.A & Reg. 4.22*)
- (c) Not be rejected by the Presidential Candidate of his or her choice under paragraph 3 of this section; and
- (d) Not otherwise be disqualified under paragraph 4 of this section.

2. *Statements of Candidacy:*

(a) Each individual who wishes to be considered by the State Committee for election as a pledged at-large delegate or alternate shall file a Statement of Candidacy at the State Committee Office. The statement must be hand delivered, mailed, emailed to delegates@nydems.org, or faxed (646-597-6195). Such Statement of Candidacy shall be received at the State Committee Office no earlier than January 2, 2020 and no later than 5:00 p.m. on April 12, 2020. “State Committee Office” means the New York City office of the State Committee at 420 Lexington Avenue, Ste. 1613 New York, NY 10170 or such other publicly announced address located in New York where the State Committee maintains its principal place of business. The filing for all delegate positions should be done at the same time. Such forms can be accessed at the State Party’s website or at the State Committee Office.

(b) In addition to the information set forth in paragraph 3(b) of section B of this Part, the Statement of Candidacy shall also include any relevant status information concerning the candidate and any party or public office held by the candidate.

(c) A person is eligible for election as an at-large delegate regardless of whether he or she filed a Statement of Candidacy for another category of a delegate or a pledge of support for a different Presidential Candidate. A candidate for pledged at-large delegate who fails to be elected to that position shall be considered a candidate for pledged at-large alternate unless his or her Statement of Candidacy otherwise directs. The provisions of paragraphs 3(d) and 3(e) of Section B of this Part shall otherwise apply.

3. *Right of Rejection:*

(a) No later than 5:00 p.m. on April 21, 2020 the State Chair shall submit a Candidate List at the State Committee Office to each Presidential Candidate who is entitled to reject any pledged party and elected official delegates.

(b) A Presidential Candidate may reject any candidate for pledged at-large delegate or alternate appearing on the Candidate List as not being a *bona fide* supporter of that Presidential Candidate by filing a written rejection with the State Chair at the State Committee Office no later than 5:00 p.m. one (1) day prior to the State Convention, provided that a Presidential Candidate may not reject a candidate for pledged at-large delegate or alternate unless there remain at least two (2) candidates for each such position to which the Presidential Candidate is entitled. An additional opportunity for Presidential candidates' right of review will occur after all district-level delegate elections have occurred if a special post-primary caucus, as detailed in Section B.10 of this Part, is required.

(c) National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate (including uncommitted status). (Rule 12.E. & Reg. 4.24.)

(d) The failure of a presidential candidate to respond with the list of approved delegate and alternate candidates by the deadline is deemed approval unless otherwise notified. (Rule 13.D)

4. Disqualification: Each candidate for pledged at-large delegate and alternate who files a timely Statement of Candidacy pledging support to a Presidential Candidate entitled to reject such a delegate or alternate and who is not rejected by that Presidential Candidate shall appear on the ballot at the State Convention as such a candidate unless their preferred Presidential Candidate officially withdraws before the election of such delegates and alternates.

5. Allocation among Presidential Candidates:

(a) To be eligible for an allocation of one or more at-large delegates and/or alternates, a Presidential Candidate (i) must have received at least the Threshold Percentage of fifteen percent (15%) of the total statewide votes cast for all Presidential Candidates at the Presidential Primary Election or (ii) if no Presidential Candidate receives at least fifteen percent (15%) of the vote in such unit, the threshold shall be half the percentage of the vote received in that district by the front-runner (Rule 14.F) and (iii) must not have withdrawn as a Presidential Candidate.

(b) Notwithstanding the provisions of paragraph 5(a) of this section, each Presidential Candidate who is entitled to one or more delegates and who would not otherwise be entitled to an alternate position shall be entitled to one at-large alternate.

(c) The State Chair shall allocate first the pledged at-large delegates and then the pledged at-large alternates among the eligible Presidential Candidates in the same manner the State Chair employs in allocating the pledged party and elected official delegates under paragraph 5 of Section D of this Part, except that in allocating the at-large alternates among eligible Presidential Candidates, the State Chair shall subtract from the total number of such alternates the number of alternates allocated under paragraph 5(b) of this section (D). In allocating pledged at-large delegates and alternates to each eligible Presidential Candidate, the State Chair shall assign the positions with the goal of equalizing the gender of the total number of delegates and alternates pledged to such Candidate. If a presidential candidate is no longer a candidate at the time of selection of the at-large delegates, then those at-large slots that would have been allocated to the candidate will be proportionally divided among the remaining preferences entitled to an allocation. (Rule 11.C).

6. Procedures at the State Convention: The procedures in paragraph 6 of section D of this Part shall govern the election of pledged at-large delegates and alternates by the State Convention, which will be held in May 2020.

7. Voting at the State Convention:

(a) Up until the day prior to the State Convention of the New York State Democratic Committee, the Nominating Committee shall certify the ballots to be used by the State Convention for the election of pledged at-large delegates and alternates. When presenting its list of nominees for at-large delegates and alternates to the State Convention, the Nominating Committee shall also distribute a demographic analysis, by preference for Presidential Candidate, of the district delegates and alternates and the pledged party and elected official delegates. The analysis shall also include a comparison of the entire delegation (elected prior to the at-large election process) with the statewide representation goals set forth in Section D of Part Four of this Plan. After the election of all other delegates to be elected at the Convention, the State Convention shall elect all at-large delegates and alternates to which each Presidential Candidate is entitled from the list that the Nominating Committee certified.

(b) In electing at-large delegates and alternates, the State Convention, which will be held in May 2020, shall implement the equal division requirement of paragraph 2 in section A of this Part. In addition, the Convention shall, if, after a review of the analysis referred to in paragraph 7 (a) of this Section E, it remains necessary to fulfill the State Party's representation goals set forth in part four of this plan, give priority of consideration to African Americans, Latinos, Asian/Pacific Americans, Native Americans, persons with disabilities, and lesbian, gay, bisexual, and transgender persons. In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs, priority of consideration shall be given other groups by virtue of status. Consistent with and subject to such efforts, every effort shall be made to allocate the at-large delegates as a whole, and the at-large alternates as a whole, among the following three geographic areas: (i) the City of New York (specifically, Congressional Districts 5 through 16); (ii) Long Island and the Lower Hudson Valley (Congressional Districts 1 through 4 and 17 through 18); (iii) and Upstate (Congressional Districts 19 through 27). Delegates and alternates are to be considered separate groups for the purposes of equal division and full participation. (*Rule 6.C.1, Rule 11.A, Reg. 4.9, & Reg. 4.20*)

8. Certification: Within ten (10) days of their election, the State Chair shall certify to the DNC Secretary the names of the persons elected to serve as at-large delegates and alternates and their preferred Presidential Candidate.

Part Four
AFFIRMATIVE ACTION PLAN
AND OUTREACH AND INCLUSION PROGRAM

SECTION A. Statement of Purpose and Organization

In order that the Democratic Party at all levels be an open Party, which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted and will be implemented by New York. (Rules 5.A. and 6.A)

1. *Objectives:*

(a) The State Party is committed to help achieve full participation of groups who have historically been explicitly denied the right to vote or who have been subjected to discriminatory and exclusionary practices that have denied them voting rights and full participation in the delegate selection process and other Party meetings, events and elections, along with other groups who are also underrepresented in Party affairs. This Plan is designed to encourage participation and representation of all Democrats in the selection of delegates and alternates to the 2020 Democratic National Convention, including African- Americans, Latinos, Asian/Pacific Americans, women, Native Americans (individuals identifying as Native American will be asked to provide their tribal affiliation), youth (persons under 36 years of age at the time of the election), persons over 65 years of age, persons of low and moderate income, workers, persons with a high school education or less, persons with disabilities, lesbians and gays, bisexuals and transgender persons, rural Democrats, and ethnic and other groups historically underrepresented in Party affairs. The State Party will make accommodations to facilitate greater participation by people with disabilities including at voting sites and voter registration. This goal shall not be accomplished either directly or indirectly by the imposition of mandatory quotas at any level of the delegate selection process.

(b) The State Party will encourage greater participation by the Affirmative Action constituencies identified above by actively engaging these groups to attend the seminars and workshops identified in Section C. The Media Plan will also focus on these constituencies. The State Party will engage with local advocacy groups to ensure full participation.

2. *Structure of Organization:*

(a) The Affirmative Action Committee, the membership of which is set forth in Appendix A to this Plan and which the State Chair appointed on or before April 25, 2019, shall be responsible for implementing this Part Four. The State Committee shall provide financial and staff support for the Affirmative Action Committee to the greatest extent feasible, including, but not limited to, the Affirmative Action Committee's use of the State Committee staff and facilities upon consultation with the State Chair. (Rule 6.F & Reg. 2.2)

(b) Each Democratic County Committee in the State shall appoint a liaison who will consult with members of the Affirmative Action Committee about implementing this plan for the county. The Affirmative Action Committee shall assist all local party organizations in carrying out this Plan. The Affirmative Action Committee shall design a uniform procedure for reporting by the county liaisons to ensure that the implementation of this Plan can be verified.

SECTION B. Efforts to Publicize the Delegate Selection Process

1. *Affirmative Action Committee:*

(a) The Affirmative Action Committee organized on March 1, 2019 and began discussing of the Delegate Selection Plan and implementation of the Plan as a whole.

(b) An Affirmative Action Committee shall be appointed by the State Democratic Chair. (*Rule 6.F*)

(c) The State Democratic Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of the State's Affirmative Action Committee with Rules 5.C, 6.A and 7, and submit the names, demographic data and contact information of the members no later than 15 days after their appointment. (*Reg. 2.2.J*)

(d) The Committee shall consist of members who are regionally diverse and represent the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan and Outreach and Inclusion Program. (*Rule 1.F*) The responsibilities of the Affirmative Action Committee include:

(e) Financial and staff support for the Affirmative Action Committee shall be provided by the State Party Committee to the greatest extent feasible, including, but not limited to, making available on a priority basis, the State Party staff and volunteers, and covering all reasonable costs incurred in carrying out this Plan. (*Rule 1.F*)

(f) Implementation of the Affirmative Action Plan and Outreach and Inclusion Program shall begin on September 8, 2019 and will continue through the end of the delegate selection process. (*Rule 1.F*)

(g) Helping develop and design the Affirmative Action Plan and Outreach and Inclusion Program and making recommendations to the State Democratic Chair

(h) Directing the implementation of the Affirmative Action Plan and Outreach and Inclusion Program

(i) Implementing a specific outreach and financial assistance program for persons of low and moderate income to encourage their participation and representation in the delegation

(j) Ensure that district lines will not discriminate against minorities and women

2. *Press Conferences:*

(a) On or before October 15, 2019, the State Chair will hold an initial press conference to articulate the goal of the election of a broadly based and representative Delegation. Efforts will be made to have prominent Democratic elected officials attend this press conference as a further demonstration of the importance that should be attached to this goal.

(b) The initial press conference will be followed by a series of regional press releases by the State Chair and/or prominent State or local Democratic elected officials to ensure media coverage in all television districts in the State. Press releases will be issued to at least the following areas or the surrounding regions: (i) Albany; (ii) Buffalo; (iii) New York City (also covering the television districts of Westchester, Nassau and Suffolk counties); (iv) Rochester; (v) Syracuse; (vi) Utica; (vii) Binghamton; (viii) Plattsburgh; and (ix) Watertown.

3. *Mailings:*

(a) On or within thirty days after November 1, 2019, the State Chair will send a letter to editorial page, editors, and publishers stressing the importance of broad-based participation in the selection process for the National Convention.

(b) Priority mailings will be sent to the print media that cover and serve the groups set forth in Appendix B. The target dates for the respective commencement and completion of these priority mailings are November 2, 2019 and December 15, 2019.

(c) Periodic press releases to all media outlets set forth in Appendix C shall be issued throughout the delegate selection process.

(d) On or before November 2, 2019, a press kit will be compiled and provided to each media outlet listed on Appendix C setting forth (i) a summary of all pertinent rules, (ii) a map of Congressional Districts, (iii) an explanation of the operation and importance of the National Convention, and (iv) materials designed to encourage participation by prospective candidates for delegate and alternate.

4. ***Media Promotion:*** Bilingual digital announcements, on multiple platforms, will be made in English and various other languages will be prepared and distributed throughout the State to inform the public how, when and where to participate in the delegate selection process and how, when and where to register to vote and to enroll as Democrats.

5. Brochure:

(a) On or before November 2, 2019, a special brochure will be produced that will explain to the general public the delegate selection and affirmative action procedures for the National Convention. The brochure will cite and describe this Plan, relevant State statutes, and the State Party Rules, and will contain a clear and concise statement of how Democratic voters will be eligible to vote and become a delegate, the time and location of each stage of the delegate selection process, and where to get additional information. The brochure will be produced in sufficient numbers and will continue to be distributed and/or be available throughout all stages of the delegate selection process.

(b) The information set forth in the brochure will also be made available in other languages where the Affirmative Action Committee deems the same to be necessary or appropriate. The State Committee shall take all feasible steps to encourage literature to be in 12 to 14-point print, and available in alternative media such as tape, Braille and other accessible means.

SECTION C. Efforts to Educate on the Delegate Selection Process

1. Seminars and Workshops:

(a) For the purpose of acquainting the public with the delegate selection process, the Affirmative Action Committee shall conduct seminars and workshops about the delegate selection process, and schedule them for times and places designed specifically to reach the groups especially targeted for outreach.

(b) Between September 1, 2019 and December 15, 2019, state committee or affiliated county organization will hold at least one such major workshop in each borough in Region 1 (the City of New York) and in each of the other eleven (11) regions in the State as follows:

(i) Region 2—counties of Nassau and Suffolk;

- (ii) Region 3—counties of Westchester, Rockland and Putnam;
- (iii) Region 4—counties of Dutchess, Columbia, Greene, Ulster, Sullivan and Orange;
- (iv) Region 5—counties of Warren, Washington, Saratoga, Schenectady, Rensselaer, Albany, and Schoharie;
- (v) Region 6—counties of Otsego, Chenango, Tioga, Broome and Delaware;
- (vi) Region 7—counties of Hamilton, Fulton, Herkimer and Montgomery;
- (vii) Region 8—counties of Jefferson, Lewis, St. Lawrence, Franklin, Clinton and Essex;
- (viii) Region 9—counties of Oswego, Oneida, Onondaga, Madison, Seneca, Cayuga, and Cortland;
- (ix) Region 10—counties of Allegany, Steuben, Schuyler, Tompkins and Chemung;
- (x) Region 11—counties of Orleans, Genesee, Monroe, Wayne, Ontario, Livingston and Yates; and
- (xi) Region 12—counties of Niagara, Erie, Wyoming, Chautauqua and Cattaraugus.

- (c) The seminars and workshops will be held in places such as public schools, union halls and public buildings that will be accessible to persons with disabilities. Specific efforts will be made to direct publicity among the Party's constituencies and publicity efforts will include multilingual information, where necessary, to encourage the participation of minority groups.
- (d) Seminars for local public and party officials to explain the delegate selection process will be held for each of the twelve (12) regions in the State in conjunction with the all-day educational seminars that will be held for the public.
- (e) The Affirmative Action Committee will contact the groups set forth in Appendix B to inform them of the workshops and seminars and will offer further educational sessions that might be held by the Party at times and places convenient to the members of such organizations. Each all-day seminar will be publicized beginning four (4) weeks in advance of the date on which the seminar will be held and continuing up through the date of the seminar. Special attention will be paid to the use of posters and press releases for this purpose as well as the Internet.
- (f) The different workshops that will be held during the day will be repeated several times throughout the day in an effort to keep them small so as to encourage discussion among the participants and to enable those who come to attend each of the different workshops. The workshops will be planned around themes including, among other things, how to obtain the approval of a Presidential Candidate, how to become a nominee for delegate, and how delegates are selected. Question and answer sessions will be an integral part of the workshops.

2. *Speakers Bureau:* Volunteers from the Affirmative Action Committee and the State Committee who are fully familiar with the provisions of this Plan will be organized and available to appear before groups, as needed, to provide information on the delegate selection process.

3. *Mailings:*

(a) Mailings to Democratic public and party officials and to the groups set forth in Appendix B shall be widely utilized to inform them of the delegate selection process. These mailings will be timed to occur before each stage of the delegate selection process so as to ensure maximum success in achieving the objectives of this Plan. Target time spans for the mailings will be at least ten (10) business days before each stage of the delegate selection process.

(b) The State Committee shall take all feasible steps to encourage persons to register to vote and to vote as Democrats and will seek to ensure simple and easy registration procedures.

4. *Media:*

The State Party shall have a Delegate Selection Media Plan for using all available and appropriate resources, such as social media, websites, newspapers, radio and television, to inform the general public how, when and where to participate in the delegate selection process. Specifically, the Delegate Selection Media Plan will provide details as to how to qualify to run as a delegate candidate. Regular updates should be posted/released throughout the state's delegate selection process to ensure broad and timely coverage and awareness about the process to all interested persons. (*Rule 4.B.3 & Rule 6.D*)

SECTION D. Representation Goals

1. *Goals:*

(a) Based on the exit polling data from the 2016 election, the State Party has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian Americans and Pacific Islanders, LGBT Americans, Persons with Disabilities, and Youth in New York's Democratic electorate. These constituency percentages shall be established as goals for representation in the state's convention delegation. It is noted that certain potential delegates may fit into more than one demographic category. The following are representation goals of this Plan based on the analysis set forth in Appendix D:

- (i) African Americans, 20% (64 delegates and 5 alternates);
- (ii) Latino, 19% (61 delegates and 5 alternates);
- (iii) Asian/Pacific Islander Americans, 8% (26 delegates and 2 alternates);
- (iv) Lesbian, Gay, Bisexual & Transgender Americans, 6% (19 delegates and 1 alternates);
- (v) Persons with Disabilities, 13% (42 delegates and 3 alternates);
- (vi) Native Americans, 0% (1 delegate and 0 alternates);* and
- (vii) Youth, 33% (106 delegates, 8 alternates); (of all pledged delegates and alternates)

*Note that the number of enrolled Democrats was to equal the percentage of Native Americans in the total New York State population.

(b) The State Convention shall ensure that representation in the Delegation fairly reflects, consistent with Democratic voting population as a whole, including African-Americans, Latinos, Asian/Pacific Americans, women, Native Americans, persons under 36 years of age, persons over 65 years of age, persons of low and moderate income, workers, persons with a high school education or less, persons with disabilities, lesbians and gays, bisexuals and transgender persons, rural Democrats, and ethnic and other groups historically underrepresented in Party affairs, if necessary by selecting members of those groups as at-large delegates.

(c) Use of the at-large delegation to achieve the affirmative action goals established by this Plan does not obviate the need for the State Party to conduct outreach activities such as recruitment, education and training. (*Rule 6.A.(3)*)

2. ***Allocation among Presidential Candidates:*** The targets set forth in this section shall apply to the delegates as a whole and, separately, to the alternates as a whole. To assist the State Committee in obtaining these goals, Presidential Candidates shall use their best efforts to ensure that the delegates pledged to them, as a group, and the alternates pledged to them, as a group, achieve such targets.

SECTION E. Efforts to Defray Certain Expenses

1. ***Responsibility for Expenses:*** Delegates and alternates to the National Convention are responsible for their own financial expenses in attending the Convention.

2. ***Fundraising Assistance:***

(a) To raise funds and/or make other financial arrangements for the specifically designated purpose of defraying the expenses of those delegates who are otherwise unable to attend and participate in the National Convention, the State Chair will appoint a special financial aid committee. The chair of such committee shall be an individual acknowledged to be a Democratic Party fundraiser or a fundraiser for philanthropic enterprises. The financial aid committee shall seek to raise funds and to locate low-cost housing accessible to the National Convention site.

(b) The financial aid committee, together with a subcommittee of the Affirmative Action Committee (the members of which the State Chair will designate) and the State Chair (collectively referred to as the “Financial Review Committee”) will review the applications for funds submitted by those delegates who, in sworn “Affidavits of Need,” state that they are unable to participate in the National Convention solely because of financial hardship. The Financial Review Committee will award financial assistance from the specifically designated fund based on:

- (i) The number of applicants,
- (ii) the needs of each applicant and
- (iii) the amount raised for the specifically designated fund.

(c) All fundraising activities for the purpose set forth in this paragraph shall be concluded by June 30, 2020. All applications for financial assistance shall be filed no later than forty-five (45) days prior to, and the Financial Review Committee shall make all awards no later than thirty (30) days prior to, the first day of the National Convention. All decisions of the Financial Review Committee shall be final, but nothing in this section shall preclude an applicant from seeking assistance from the Democratic National Committee, the Presidential Candidate to whom the delegate or alternate is pledged, or other lawful sources.

SECTION F. Obligations of Presidential Candidates to Maximize Participation

1. *Submission of Plans:* Each Presidential Candidate shall submit to the State Chair, and implement within this State, a statement detailing the specific steps that will be taken to promote participation in the delegate selection process by the groups set forth in Section D of this Plan. With respect to individuals who have announced their candidacies for President on or before November 15, 2019, such plans shall be submitted to the State Chair no later than 5:00 p.m. on November 15, 2019; with respect to individuals who become Presidential Candidates after November 15, 2019, such plans shall be submitted no later than 5:00 p.m. on the tenth business day following their announcements.

2. *Contents of Plans:* Each Presidential Candidate shall specify the steps that such Candidate will take to encourage full participation in his or her delegate selection process, including, but not limited to, the following:

- (a) Each Presidential Candidate shall appoint a liaison for the State who will be available to consult with and coordinate the Candidate's activities with the Affirmative Action Committee and with the Delegate Selection Liaison appointed by each Democratic County Committee pursuant to this Plan.
- (b) Each Presidential Candidate shall work with the State Party in producing and distributing information explaining to the general public the delegate selection procedures that the Presidential Candidate will take in the State in screening candidates for delegate and alternate positions and in the slate-making process.
- (c) Each Presidential Candidate shall collaborate with the State Party as a part of its educational seminars, which seek to encourage the candidacies for delegates and alternates pledged to that Presidential Candidate of persons from among the National Committee's target groups. These seminars shall be held in each of the twelve (12) regions of the State set forth in paragraph 1(c) of section C of this Part.
- (d) Each Presidential Candidate shall recruit, through his or her best possible efforts, women, African Americans, Latinos, Asian/Pacific Americans, Native Americans, and other Democrats by the groups set forth in Section D of this Plan.

3. *Election of District-Level Delegates:*

- (a) Each Presidential Candidate shall take all steps necessary to ensure that, in each Congressional District, candidates for district delegate pledged to such Candidate are, as a whole, equally divided between men and women, and subject to that objective, fairly reflect the population of the Congressional District.
- (b) To the greatest degree possible, each Presidential Candidate will ensure that such Presidential Candidate's district slates of delegates, if taken together as a statewide group, reflect those statewide representation goals set forth in this Plan. Each Presidential Candidate shall provide such assistance as is necessary, reasonable, and practical to assure ballot access for delegate candidates with disabilities, and to provide campaign assistance as so provided to all other candidates.
- (c) In the preparation of district slates of delegates, each Presidential Candidate shall take all appropriate steps to ensure:

(i) That each position on a slate is occupied by a candidate whose gender is opposite to that of the candidate in the next position on the slate; and

(ii) That positions are allocated to reflect the representation goals set forth in this Plan.

4. *Election of Pledged Party Leader and Elected Official Delegates & Pledged At-Large Delegates & Alternates:*

(a) Prior to the respective nominating processes for pledged party and elected official delegates and pledged at-large delegates and alternates, the State Party, in collaboration with each Presidential Candidate, shall contact those groups, media and publications representing and/or reporting to women, African Americans, Latinos, Asian/Pacific Americans, Native Americans and other target groups by the groups set forth in Section D of this Plan to encourage the candidacies of members of groups for positions as *bona fide* supporters of that Presidential Candidate.

(b) Each Presidential Candidate that proposes names or slates of candidates to the State Convention shall take into account the composition of the district delegates pledged to that Presidential Candidate who were elected in the Primary so as to assist the State Committee in achieving the representation goals set forth in this Plan. Each Presidential Candidate shall make a good faith effort to include persons with disabilities as candidates among the names or slates of candidates that the Presidential Candidate proposes to the State Convention.

5. *Reports:*

(a) Not later than 5:00 p.m. on February 7, 2020 each Presidential Candidate shall file with the State Chair at the State Committee Office demographic and other status information (including gender, race, ethnic group, and age) of each candidate for district delegate pledged to that Presidential Candidate in each Congressional District whom the Presidential Candidate has not rejected.

(i) The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective district-level delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved district-level delegate candidates.

(b) Not later than 5:00 p.m. on the day prior to State Convention in May 2020, each Presidential Candidate shall file with the State Chair at the State Committee Office demographic and other information of the district delegates pledged to that Presidential Candidate who were elected.

(i) The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved pledged PLEO candidates.

(c) Not later than 5:00 p.m. the day prior to State Convention in May of 2020, each Presidential Candidate shall file with the State Chair at the State Committee Office demographic and other information of all delegates and alternates pledged to that Presidential Candidate.

(i) The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective at-large delegate candidates and at-large alternate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved at-large delegate candidates and at-large alternate candidates.

6. *Monitoring and Reporting:* The Affirmative Action Committee shall actively monitor each Presidential Candidate's compliance with this Part and may require each such Candidate to file periodic reports with the State Chair, in addition to other filings this section requires, specifying, among other things, the delegate selection programs being conducted by such Candidate, the Candidate's success in recruiting candidates for delegate and alternate among by the groups set forth in Section D of this Plan and the target groups as to which and/or the geographic areas where the Candidate may require assistance in such recruitment efforts. The Affirmative Action Committee shall take all necessary steps to offer and provide such assistance. The Affirmative Action Committee shall also ensure that all headquarters and offices of Presidential Candidates shall be accessible to persons with disabilities. Upon consultation with the State Chair, the Affirmative Action Committee may issue such public statements as may be appropriate to promote compliance with this Plan, to assist recruitment of delegate and alternate candidates from among the target groups, to encourage Presidential Candidates in their recruitment efforts, and to report on the progress (or lack of progress) of those efforts.

7. *Fundraising Assistance:* Each Presidential Candidate shall collaborate with the State Party to assist the financial aid committee for which Section E of this Part provides. Any funds raised for this purpose by a Presidential Candidate or a candidate for delegate or alternate shall first be earmarked in the fund specifically for the financial aid of the delegates or alternates, regardless of who they are pledged to support the Presidential Candidate who has raised the funds. The deadline for completion of all fundraising activities as set forth in paragraph 2(c) of section E of this Part shall not apply to the fundraising obligations of each Presidential Candidate pursuant to this paragraph. While we strongly recommend each Presidential Candidate assist in this fundraising agreement, there shall be no penalty for failing to comply.

Part Five
THE DELEGATION & STANDING COMMITTEES

SECTION A. Organization of the Delegation

1. ***Delegation Meeting:*** The first meeting of the Delegation shall be held in May 2020 (the “Initial Delegation Meeting”). The State Chair shall assure that the Delegation and each Presidential Candidate represented in the Delegation receives timely notice of the time, date and place of the meeting. A quorum at the meeting shall consist of a majority of delegates. (*Call IV.E*)
2. ***Election of the Chair:*** At the Initial Delegation Meeting, the delegates shall elect a delegate to be Delegation Chair, and elect such other officers as the Delegation may deem appropriate. Within three (3) days of the meeting, the State Chair shall certify the Delegation Chair in writing to the DNC Secretary.
3. ***Delegation Rules:*** At the Initial Delegation Meeting, the Delegation may adopt such rules consistent with this Plan for the conduct of its business, as the Delegation may deem appropriate.

4. ***Convention Pages:*** At or before the Initial Delegation Meeting and following consultation with members of the Democratic National Committee from this State, the State Chair shall appoint six (6) individuals to serve as Convention Pages. There shall be equal division between men and women. In the case of gender non-binary individuals, they shall not be counted as either male or female, and the remainder of individuals shall be equally divided by gender. To the extent feasible, such appointees shall reflect the representation goals set forth in this Plan. No later than within three (3) days of the Initial Delegation Meeting, the State Chair shall certify the Convention Pages to the DNC Secretary. (*Rule 6.C*)

SECTION B. Alternates & Vacancies

1. *Replacement of Pledged Delegates:*

- (a) A permanent vacancy occurs when a delegate resigns or dies prior to or during the National Convention and the alternate replaces the delegate for the remainder of the National Convention. Any alternate delegate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and gender of the delegate they replace, and to the extent possible shall be from the same political subdivision within the State as the delegate. The Delegation shall make the selection of a permanent replacement consistent with this provision.
- (b) A temporary vacancy occurs when a delegate is to be absent for a limited period of time during the National Convention and an alternate temporarily acts in the delegate’s place. Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the delegate he/she replaces, and to the extent possible shall be of the same gender and from the same political subdivision within the State as the delegate. A delegate temporarily absent from the Convention may select an alternate consistent with this provision.
- (c) If a delegate or alternate candidate who has been elected but not yet certified to the DNC Secretary resigns, dies, or is no longer eligible to serve, then the respective presidential candidate’s authorized representative names the replacement after consultation with the State Party. (*Rule 19.D.2*)

2. *Replacement of Automatic Delegates:*

(a) Automatic delegates shall not be entitled to select a replacement pursuant to this section nor shall the State be entitled to name a replacement, except in the following circumstances:

(i) Members of Congress shall not be entitled to name a replacement. In the event of changes or vacancies in the State’s Congressional Delegation, following the official confirmation and prior to the commencement of the National Convention, the DNC Secretary shall recognize only such changes as have been officially recognized by the Democratic Caucus of the U.S. House of Representatives or the Democratic Conference of the U.S. Senate.

(ii) Members of the DNC shall not be entitled to a replacement, nor shall the State be entitled to name a replacement, except in the case of death of such delegates. In the case where the State’s DNC membership changes following the DNC Secretary’s official confirmation, but prior to the commencement of the National Convention, acknowledgement by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of automatic delegates.

(iii) In the event of a change or vacancy in the State’s office of Governor, the DNC shall recognize only such changes as have been officially recognized by the Democratic Governors’ Association. (Call, IV.D.2.a)

(b) In no case may an alternate cast a vote for an automatic delegate. (*Call, IX.F.3.e*)

3. *Filling Alternate Vacancies*: The Delegation shall fill any vacant alternate position. The replacement shall be of the same Presidential Candidate preference and, if possible, of the same gender and from the same unit of representation as the alternate being replaced.

4. *Certification*: Within three (3) days of their replacement, the State Chair shall certify in writing to the DNC Secretary each replacement of a delegate or a vacant alternate position. Certification will be accepted up to 72 hours before the beginning of the Convention, and if a replacement occurs after the 72 hours of the beginning of the Convention, the Delegation Chair will indicate the name of the alternate casting the respective delegate’s vote on the tally sheet. (*Call IV.D.1, Reg. 4.35, Call IX.F.3.e & Reg. 5.3*) If a presidential candidate has only one alternate, and that alternate permanently replaces a delegate of the opposite gender, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 19.D.(3), the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of the opposite gender, in order to return the delegation to equal division of men and women. (*Reg. 4.32*)

SECTION C. Election of Members to Standing Committees

1. *Number & Qualifications of Committee Members*:

(a) In accord with the Party Call, this State shall have ten (10) members on each of the three standing committees for the National Convention: Credentials, Platform, and Rules (collectively, “Standing Committees”).

(b) Members of the Standing Committees need not be members of the Delegation.

2. *Election of Permanent Committee Members*:

(a) All Permanent Committee Members shall be elected at the National Convention Delegation meeting for New York State. Adequate notice of time and place for the selection meeting be given

(b) The members of the standing committees allocated to State shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 14.E. of the Delegate Selection Rules. (Call, VII.C.1. & Reg. 5.7.).

(c) The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to State. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc. (Call, VII.C.2.)

(d) Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position. (Call, VII.C.3.)

(e) Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions. (Call, VII.C.4.)

(f) The delegates shall elect as the permanent members of the Standing Committees the persons that each Presidential Candidate submits to the State Chair no later the end of the state convention in May 2020 following the selection of all delegates and alternates, pursuant to this paragraph. Nominations of other persons for such positions shall not be in order unless the Presidential Candidate failed to submit any names. Presidential Candidates shall not be required to submit more than one name for each position on a Standing Committee allocated to that Candidate.

(g) A separate election shall be conducted for membership on each Standing Committee. The State's permanent members on each such Committee shall be equally divided by gender with a variance no greater than one, and the Variate shall not remain constant for the three Committees. In the case of gender non-binary delegates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. (*Rule 6.C*) To assure such equal division, each position on each Committee shall be assigned by gender as follows:

(i) The first position on the Credentials Committee shall be of a gender determined by lot, and each such succeeding position shall alternate between the genders;

(ii) The first position on the Platform Committee shall be of a gender opposite that of the gender in the first position on the Credentials Committee, and each succeeding position shall alternate between the genders;

(iii) The first position on the Rules Committee shall be of the gender determined by lot, and each succeeding position shall alternate between the genders;

- (h) The positions allocated to each Presidential Candidate on each Committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate gender.
- (i) There shall be no substitutions of permanent members of the Standing Committees except in the case of death, or rejection in which event substitution shall be made in accord with section B of this Part and certified in writing to the DNC Secretary.
- (j) Standing Committee members must be certified in writing to the DNC Secretary within three days of their selection. (*Call VII.B.3*)
- (k) Substitute Standing Committee members must be selected in accordance with the plan and certified to the DNC Secretary not later than 48 hours before the respective committee meets. (*Call VII.B.4*)
- (l) Presidential candidates must use their best efforts to ensure their respective delegations are equally divided between men and women, and that the names they submit will help achieve the affirmative action, outreach and inclusion goals established in the Delegate Selection Plan.

Part Six
PRESIDENTIAL ELECTORS

SECTION A: *Introduction*

New York State will select 29 persons to serve as Presidential Electors for the 2020 Presidential election.

SECTION B: *Selection of Presidential Electors*

1. 29 Presidential Electors will be selected by the State Committee Chair on June 1, 2020.
2. There will be a meeting of the New York State Democratic Committee to be set at a later date to nominate electors for President of the United States and Vice President of the United States. Nominees for elector must submit a certificate of acceptance to the State Party. The certificates of nomination and authorization must be received at the State Board 73 days before the general election or by Friday, September 4, 2020.
3. According to New York State Election Law, electors cannot hold a federal government office. Members of the New York State Legislature are eligible to serve as electors.
4. Presidential Electors are public officers and bound by New York State Public Officers Law.

SECTION C: *Affirmation*

1. Each candidate for Presidential Elector shall certify in writing that they will vote for the election of the Democratic Presidential and Vice Presidential nominees upon their acceptance of their nomination to be a presidential elector. (Call VIII)
2. In the selection of the Presidential Electors, the State Party will ensure the persons selected are bona fide Democrats who are faithful to the interests, welfare, and success of the Democratic Party of the United States, who subscribe to the substance, intent and principles of the Charter and the Bylaws of the Democratic Party of the United States. (Call VIII)

Part Seven **CHALLENGES**

SECTION A. Jurisdiction & Standing

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2020 Democratic National Convention* (Reg. Sec. 3), and the “Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention.” (*Call Appendix A*)
2. Under Rule 21.B. of the *2020 Delegate Selection Rules*, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of state Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. (*Rule 21.B & Call Appendix A*)
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2020 Democratic National Convention. (*Call Appendix A & Reg. 3.1*)
4. Challenges to the credentials of delegates and alternates to the 2020 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the “Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention.” (*Call Appendix A*)
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the *Call for the 2020 Democratic National Convention*. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention. (*Call VII.B.5*)
6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2020 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (*Appendix A*), shall be made available by the State Party upon reasonable request.
7. Any group of 15 Democrats with standing to challenge as defined in Reg. 3.2 or the Call (*Appendix A, Sec. 2.A*), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

SECTION B. Challenges to the Status of the State Party and Challenges to the Plan

1. A challenge to the status of the State Party Committee as the body entitled to sponsor a delegation from that state shall be filed with the Rules and Bylaws Committee not later than 30 calendar days prior to the initiation of the state’s delegate selection process. (*Rule 21.A & Reg. 3.4.A*)
2. A challenge to the state’s Delegate Selection Plan shall be filed with the Chair of the New York State Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 15 calendar days after the adoption of the Plan by the State Party. (*Reg. 3.4.B*)
3. A challenge to a Plan must be brought in conformity with the Rules and the RBC Regulations, which should be consulted for a detailed explanation of challenge procedures.

SECTION C. Challenges to Implementation

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process. (*Reg. 3.1.C*)
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The State Party has 21 days to render a decision. Within 10 days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the State Party renders no decision, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within 10 days after expiration of the above 21-day period. (*Reg. 3.4.C, Reg. 3.4.E & Reg. 3.4.H*)
3. Performance under an approved Affirmative Action Plan and Outreach and Inclusion Program and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. (Rule 6.B) The procedures are the same for challenges alleging failure to properly implement the Affirmative Action Plan and Outreach and Inclusion Programs of a Plan, except that such challenges must be filed not later than 25 days prior to the initiation of the state's delegate selection process. (*Reg. 3.4.C*)
4. Depending on the appropriate jurisdiction, implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

Appendix A: Affirmative Action Committee

First Name	MI	Last Name	County	Sex
Lynne		Boecher	Warren	F
Julia		Caro	Montgomery	F
Sue	M	Corey	Essex	F
Walter		Dixie	Onondaga	M
Emily		Giske	New York	F
Patrick		Jordan	New York	M
Reginald		Lafayette*	Westchester	M
Maria		Luna	New York	F
Monica		Martinez	Suffolk	F
Karim		Mozawalla	Nassau	M
Jessica		Schuster	Erie	F
Michelle		Solages	Nassau	F
Kevin		Thomas	Nassau	M
Rory	C	Wheeler	Chautauqua	M
Robert	P	Zimmerman	Nassau	M

**Individual serves as the Chair of the Affirmative Action Committee*

Appendix B: Affirmative Action Composition

African-Americans
Latinos
Asian/Pacific Americans
Native Americans
Persons with disabilities
Lesbians, gays, bisexuals and transgender persons
Women
Rural Democrats
Veterans
Youth (persons under 36 years of age)
Persons over 65 years of age
Persons of low and moderate income
Workers, persons with a high school education or less

Appendix C: Media List

DAILY NEWSPAPERS & WIRE SERVICES

Associated Press
Albany Times-Union
AM New York
Amsterdam News
Buffalo News
The Chief
City Hall News
City Limits
Crain's NY Business
Daily News
Finger Lakes Times
Gannett
Ithaca Journal
Journal News
Metro
Mid-Hudson News
Newsday
New York Law Journal
New York Post
New York Observer
New York Times
Reuters
Rochester Democrat & Chronicle
Staten Island Advance
Syracuse Post-Standard
Utica Observer Dispatch

Appendix D: Affirmative Action Target Analysis

The State Committee computed the 2020 Affirmative Action representation goals using: (1) the most current official census data; (2) the State Committee’s Voter File (which incorporates voter information obtained from the Boards of Election and the United States Census Bureau); and (3) exit poll data from CNN for recent New York statewide races and other polling data from polling organizations.

The following formula, similar to that used in years past by the State Committee, determined the actual representation goals. The number of enrollees for each group was multiplied by the group’s “high performance factor.” The “high performance factor” is the average Democratic vote for the group. Based on previous data and the number of delegates New York will have for the 2020 Convention, the breakdown below was produced. It is noted that certain potential delegates may fit into more than one demographic category. The goals, rounded up to the nearest whole number, are:

African Americans, 20% (64 delegates and 5 alternates);
Latino, 19% (61 delegates and 5 alternates);
Asian/Pacific Islander Americans, 8% (26 delegates and 2 alternate);
Lesbian, Gay, Bisexual & Transgender Americans, 6% (19 delegates and 1 alternates);
Persons with Disabilities, 13% (42 delegates and 3 alternates);
Native Americans, 0% (1 delegate and 0 alternates);* and
Youth, 33% (106 delegates, 8 alternates); (of all pledged delegates and alternates)

Note that the number of enrolled Democrats was to equal the percentage of Native Americans in the total New York State population.

2020 New York State Delegate Selection Plan – Updated on February 26, 2020

Appendix E: Statement from the State Chair



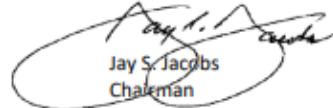
May 22, 2019

To Whom It May Concern:

The New York State Affirmative Action Committee of the New York State Delegate Selection Plan strives to encourage participation and representation of all Democrats in the selection of delegates and alternates to the 2020 Democratic National Convention, including African- Americans, Latinos, Asian/Pacific Americans, women, Native Americans, persons under 36 years of age, persons over 65 years of age, persons of low and moderate income, workers, persons with a high school education or less, persons with disabilities, lesbians and gays, bisexuals and transgender persons, rural Democrats, and ethnic and other groups historically underrepresented in Party affairs. This goal shall not be accomplished either directly or indirectly by the imposition of mandatory quotas at any level of the delegate selection process.

As Chairman, I certify that the composition of the State Affirmative Action Committee complies with Rules 5.C, 6.A., and 7 and that the names, demographic data and contact information of members was submitted to the RBC 15 days after their appointment (Reg. 2.2.K).

Sincerely,



Jay S. Jacobs
Chairman

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Appendix F: Summary of Plan

SECTION A. Selection of Delegates and Alternates

New York State will use a proportional representation system based on the results of the New York State Presidential Preference Primary for apportioning its delegates to the 2020 Democratic National Convention. The first determining step of New York State's delegate selection process will occur on April 28, 2020, with a Primary.

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alter-nates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District-Level Delegates	184	0	April 28, 2020	Selecting Body: Democratic primary voters in their respective congressional districts.
				Submit a statement of candidacy to the State Party by February 4, 2020. Submit a petition signed by .5% of enrolled Democrats in the CD or 500 (whichever is fewer) by February 6, 2020.
Automatic Party Leader and Elected Official Delegates*	46	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 9.A. of the 2020 Delegate Selection Rules.
Pledged Party Leaders and Elected Officials (PLEOs)	29	**	May 2020	Selecting Body: New York State Democratic Committee at State Convention
				Submit a statement of candidacy to the State Committee Office by April 12, 2020.
At-Large Delegates At-Large Alternates	61	23	May 2020	Selecting Body: New York State Democratic Committee at State Convention
				Submit a statement of candidacy to the State Committee Office by April 12, 2020.
TOTAL Delegates and Alternates	320	23		

*Automatic Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members, the Democratic President, the Democratic Vice President, all Democratic members of the U.S. House of Representatives and the U.S. Senate, the Democratic Governor, and any other Distinguished Party Leader as specified in Rule 9.A. of the *2020 Delegate Selection Rules*. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

** Membership on the State Party Committee is apportioned on the basis of Democratic strength. Members of the State Party Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection. Members of the State Party Committee exercising such authority shall have been elected no earlier than the calendar year of the previous national convention. Membership of the State Party Committee complies with the equal division requirements of Article Nine, Section 16 of the Charter of the Democratic Party of the United States.

SECTION B: Selection of Standing Committee Members (For the Credentials, Platform and Rules Committees)

Standing committee members will be selected by the state's National Convention delegates as summarized below:

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
10	30	May 2020	Presidential candidates submit a list of nominations immediately after the election of the at-large delegates. Each committee will be filled proportionally with supporters of each qualifying candidate to the statewide vote in the primary.

SECTION C: Selection of Delegation Chair and Convention Pages

The Delegation Chair will be selected by the National Convention Delegates in May 2020.

New York State's six (6) Convention Pages will be selected by the State Democratic Chair in May 2020.

SECTION D: Selection of Presidential Electors

27 Presidential Electors will be selected by the State Committee Chair on June 1, 2020.

SECTION E: Presidential Candidate Filing Deadline

Presidential candidates must submit signed petitions to the State Board by February 6, 2020. Five thousand (5,000) enrolled Democrats in the State shall sign the petition. (*Rules 12.B, 15.A & 15.E, and NYS Election Law*) Petition forms can be found on the State Party website, the Board of Elections website, and at any county Board of Elections office. Completed petition forms must be sent to the Board of Elections. (*Rule 11.B & Rule 14.E*) Presidential candidates must certify their authorized representatives by November 15, 2019 with the State Committee.

Appendix G: Timeline

Date	Activity
2019	
March 1	Affirmative Action Committee begins to organize
April 22	Proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is available for public comment.
April 22	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. Press releases are mailed announcing the public comment period.
May 8	List of Affirmative Action Committee members appointed by State Chair are submitted to DNC Rules and Bylaws Committee.
May 9	Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is submitted to the DNC Rules and Bylaws Committee.
May 19	Affirmative Action Committee meets to approve proposed Affirmative Action Plan.
May 22	Period for public comment on Delegate Selection Plan is concluded. Responses are compiled for review by the State Party Committee.
May 22	State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
September 8	State Party publicizes final version of the Delegate Selection Plan
September 8	State Party begins implementation of the Affirmative Action Plan and Outreach and Inclusion Program.
November 15	Presidential candidate certification of authorized representative(s) deadline and full participation statement deadline.
December 31	Delegate and alternate candidates may begin collecting pledge of support signatures on petitions.
2020	
January 2	Delegate and alternate candidates may obtain the statement of candidacy from State Party Committee Headquarters, in person, by mail, or from State Party's web site at www.nydem.org .
February 3	First day State Board accepts the filing of petitions.
February 4	District-level delegate and alternate deadline for filing the statement of candidacy and pledge of support forms with State Party.
February 6	District-level delegate and presidential candidate deadline for filing petitions with the State Board.
February 10	The deadline for the State Party to transmit the list of filed District-Level Delegate candidates to presidential candidates for right of review.
February 14	The deadline for the presidential candidates to return their list of approved District-Level Delegate candidates to the State Party.
February 14	Deadline for registered voters not enrolled in the Democratic Party change their party affiliation in order to vote in the New York Democratic presidential primary.
February 18	State Party provides approved list of District-level delegates to the State Board.
March 4	State Board deadline to certify ballots.

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Date	Activity
March 5	County Boards deadline to certify ballots.
March 13	Last day for State Board to transmit Military and Overseas ballots to New Yorkers abroad.
April 3	Deadline to register to vote to participate in this primary.
April 12	Pledged PLEO and at-large delegate or alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.
April 18	First day of early voting.
April 21	State Party Chair will transmit list of filed pledged PLEO and At-Large delegate candidates to presidential candidates.
April 26	Last day of early voting.
April 28	Presidential preference primary. District-level delegates are chosen by the voters.
May 9	Presidential candidates deadline to submit approved list of PLEO delegate candidates.
May 19	Secretary of State certifies results of primary; pre-slated district-level delegates and alternates are allocated according to presidential preference.
May 21	State Party certifies elected district-level delegates to the Secretary of the Democratic National Committee.
May 21	State Party allocates At-large, Alternate, and PLEO delegates and Standing Committee members proportionally based on statewide vote for presidential candidates in preparation for the delegate and member certification on May 19.
State Convention	Deadline for any possible post-primary caucus – at or before the first order of business at the State Convention.
May 2020	State Convention convenes. At-large, Alternate, and PLEO delegates are certified by the New York State Democratic Committee. National Convention delegation meeting. Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages. Date will be announced 25 days before the Convention.
May 31	State Party certifies remainder of elected delegates and alternates (PLEOs and at-large), along with standing committee members, delegation chair, and convention pages. State Party certifies in writing to the Secretary of the DNC the presidential preference (including uncommitted) of the state's Automatic Delegates.
June 1	State Chair submits the list of Democratic presidential electors to the State Board.

Appendix H: Press Release

NEW YORK 2020 DEMOCRATIC PRIMARY DELEGATE SELECTION PROCESS FOR IMMEDIATE RELEASE

New York, New York – On Wednesday, May 22, 2019, the New York State Democratic Committee met in Albany, New York and voted unanimously to approve the 2020 New York State Democratic Committee Delegate Selection Plan. This plan has taken new and exciting steps to ensure an open and inclusive process and to resist attempts at voter suppression and disenfranchisement.

The Delegate Selection Plan sets the 2020 Democratic Primary election on April 28, 2020, enabling the New York State Democratic Delegation to take advantage of a bonus of up to 25 percent, to a grand total of 344 delegates and alternates, providing New York State with the second-highest delegate count in the 2020 Democratic Presidential Primary.

The Plan features new Affirmative Action targets that ensure diversity across the State. It is designed to encourage participation and representation of all Democrats in the selection of delegates and alternates to the 2020 Democratic National Convention, including African- Americans, Latinos, Asian/Pacific Americans, women, Native Americans, young voters, persons over 65 years of age, persons of low and moderate income, workers, persons with a high school education or less, persons with disabilities, voters who are lesbian, gay, bisexual and transgender, rural Democrats, and ethnic and other groups historically underrepresented in Party affairs. The plan also implements new efforts in digital promotion and workshops to educate and engage New Yorkers on the delegate selection process and how all New Yorkers can get involved.

The Plan also changes the primary registration date for New York State voters. Registered voters changing their enrollment status from another political party will be permitted to do so up to 60 days prior to the Democratic Primary and registered voters who change their enrollment status from unaffiliated to Democrat up to 25 days prior to the Democratic Primary. New registered voters who wish to participate in the Primary can register as Democrats up to 25 days prior to election. This change in voter enrollment encourages voter participation in the state next year and into the future. This change is “a very positive sign going into the election...because no matter what, we are going to be united,” says Chairman Jay S. Jacobs.

###

Appendix I: Statement from Affirmative Action Chair



May 22, 2019

To Whom It May Concern:

On Wednesday May 22nd, the New York State Democratic Committee voted unanimously to adopt the Delegate Selection Plan for the 2020 Election Cycle, which included the Affirmative Action Plan approved by the Affirmative Action Committee.

The Plan features new affirmative action targets that ensure diversity across the State. The Plan is designed to encourage participation and representation of all Democrats in the selection of delegates and alternates to the 2020 Democratic National Convention, including African-Americans, Latinos, Asian/Pacific Americans, women, Native Americans, young voters, persons over 65 years of age, persons of low and moderate income, workers, persons with a high school education or less, persons with disabilities, voters who are lesbian, gay, bisexual and transgender, rural Democrats, and ethnic and other groups historically underrepresented in Party affairs. The plan also implements new efforts like press conferences, mailings, brochures, media promotion, seminars and workshops in order to educate and engage New Yorkers on the delegate selection process.

As Chair of the Affirmative Action Committee, I certify the New York State Delegate Selection Plan is compliant with Rule 6.F., requiring that the Affirmative Action Committee has reviewed the proposed Affirmative Action outreach plan and established numerical goals to achieve diversity targets across the State.

Sincerely,

Edgar Santana
Chair, Affirmative Action Committee

Appendix J: State Delegate Selection Media Plan

Statement of Purpose and Plan

In order that the Democratic Party at all levels be an open Party, which includes rather than excludes people from participation, a program of effective media outreach is hereby adopted and will be implemented by New York.

1. *Press Conferences:*

- (a) On or before October 15, 2019, the State Chair will hold an initial press conference to articulate the goal of the election of a broadly based and representative Delegation. Efforts will be made to have prominent Democratic elected officials attend this press conference as a further demonstration of the importance that should be attached to this goal.
- (b) The initial press conference will be followed by a series of regional press releases by the State Chair and/or prominent State or local Democratic elected officials to ensure media coverage in all television districts in the State. Press releases will be issued to at least the following areas or the surrounding regions: (i) Albany; (ii) Buffalo; (iii) New York City (also covering the television districts of Westchester, Nassau and Suffolk counties); (iv) Rochester; (v) Syracuse; (vi) Utica; (vii) Binghamton; (viii) Plattsburgh; and (ix) Watertown.

2. *Mailings:*

- (a) On or within thirty days after November 1, 2019, the State Chair will send a letter to editorial page, editors, and publishers stressing the importance of broad-based participation in the selection process for the National Convention.
- (b) Priority mailings will be sent to the print media that cover and serve the groups set forth in Appendix B. The target dates for the respective commencement and completion of these priority mailings are November 2, 2019 and December 15, 2019.
- (c) Periodic press releases to all media outlets set forth in Appendix C shall be issued throughout the delegate selection process.
- (d) On or before November 2, 2019, a press kit will be compiled and provided to each media outlet listed on Appendix C setting forth (i) a summary of all pertinent rules, (ii) a map of Congressional Districts, (iii) an explanation of the operation and importance of the National Convention, and (iv) materials designed to encourage participation by prospective candidates for delegate and alternate.

3. *Media Promotion:* Bilingual digital announcements, on multiple platforms, will be made in English and various other languages will be prepared and distributed throughout the State to inform the public how, when and where to participate in the delegate selection process and how, when and where to register to vote and to enroll as Democrats.

4. *Brochure:*

- (a) On or before November 2, 2019, a special brochure will be produced that will explain to the general public the delegate selection procedures for the National Convention. The brochure will cite and describe this Plan, relevant State statutes, and the State Party Rules, and will contain a

clear and concise statement of how Democratic voters will be eligible to vote and become a delegate, the time and location of each stage of the delegate selection process, and where to get additional information. The brochure will be produced in sufficient numbers and will continue to be distributed and/or be available throughout all stages of the delegate selection process.

(b) The information set forth in the brochure will also be made available in other languages where the State Committee deems the same to be necessary or appropriate. The State Committee shall take all feasible steps to encourage literature to be in 12 to 14-point print, and available in alternative media such as tape, Braille and other accessible means.

4. Seminars and Workshops:

(a) For the purpose of acquainting the public with the delegate selection process, the State Committee, in collaboration with the Affirmative Action Committee, shall conduct seminars and workshops about the delegate selection process, and schedule them for times and places designed specifically to reach the groups especially targeted for outreach.

(b) Between September 1, 2019 and December 15, 2019, state committee or affiliated county organization will attempt at least one such major workshop will be held in each borough in Region 1 (the City of New York) and in each of the other eleven (11) regions in the State as follows:

- (i) Region 2—counties of Nassau and Suffolk;
- (ii) Region 3—counties of Westchester, Rockland and Putnam;
- (iii) Region 4—counties of Dutchess, Columbia, Greene, Ulster, Sullivan and Orange;
- (iv) Region 5—counties of Warren, Washington, Saratoga, Schenectady, Rensselaer, Albany, and Schoharie;
- (v) Region 6—counties of Otsego, Chenango, Tioga, Broome and Delaware;
- (vi) Region 7—counties of Hamilton, Fulton, Herkimer and Montgomery;
- (vii) Region 8—counties of Jefferson, Lewis, St. Lawrence, Franklin, Clinton and Essex;
- (viii) Region 9—counties of Oswego, Oneida, Onondaga, Madison, Seneca, Cayuga, and Cortland;
- (ix) Region 10—counties of Allegany, Steuben, Schuyler, Tompkins and Chemung;
- (x) Region 11—counties of Orleans, Genesee, Monroe, Wayne, Ontario, Livingston and Yates; and
- (xi) Region 12—counties of Niagara, Erie, Wyoming, Chautauqua and Cattaraugus.

(c) The seminars and workshops will be held in places such as public schools, union halls and public buildings that will be accessible to persons with disabilities.

(d) Seminars for local public and party officials to explain the delegate selection process will be held for each of the twelve (12) regions in the State in conjunction with the all-day educational seminars that will be held for the public.

(e) The State Committee will contact the groups set forth in Appendix B to inform them of the workshops and seminars and will offer further educational sessions that might be held by the Party at times and places convenient to the members of such organizations. Each all-day seminar will be publicized beginning four (4) weeks in advance of the date on which the seminar will be held and continuing up through the date of the seminar. Special attention will be paid to the use of posters and press releases for this purpose as well as the Internet.

(f) The different workshops that will be held during the day will be repeated several times throughout the day in an effort to keep them small so as to encourage discussion among the participants and to enable those who come to attend each of the different workshops. The workshops will be planned around themes including, among other things, how to obtain the approval of a Presidential Candidate, how to become a nominee for delegate, and how delegates are selected. Question and answer sessions will be an integral part of the workshops.

5. ***Speakers Bureau:*** Volunteers from the State Committee and in collaboration with the Affirmative Action Committee who are fully familiar with the provisions of this Plan will be organized and available to appear before groups, as needed, to provide information on the delegate selection process.

6. ***Mailings:***

(a) Mailings to Democratic public and party officials and to the groups set forth in Appendix B shall be widely utilized to inform them of the delegate selection process. These mailings will be timed to occur before each stage of the delegate selection process so as to ensure maximum success in achieving the objectives of this Plan. Target time spans for the mailings will be at least ten (10) business days before each stage of the delegate selection process.

(b) The State Committee shall take all feasible steps to encourage persons to register to vote and to vote as Democrats and will seek to ensure simple and easy registration procedures.

7. ***Media:***

(a) The State Party shall have a Delegate Selection Media Plan for using all available and appropriate resources, such as websites, newspapers, radio and television, to inform the general public how, when and where to participate in the delegate selection process. Specifically, the Delegate Selection Media Plan will provide details as to how to qualify to run as a delegate candidate. Regular updates should be posted/released throughout the state's delegate selection process to ensure broad and timely coverage and awareness about the process to all interested persons.

(b) The State Party will publicize the plan on all available social media platforms and repeatedly inform followers and social media users of how to participate in our delegate selection process.

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Appendix K: State Statutes and Relevant Legal Authority

Please find all rules and regulations set forth by the Democratic National Committee at the following link: <https://democrats.org/about/2020-presidential-campaign-resources/>

Please find all rules and regulations set forth by New York State Election Law at the following link: <https://www.elections.ny.gov/INDEX.html>

Please find all rules and regulations set forth by the New York State Democratic Committee at the following link: <https://nydems.org/our-party/>

Appendix L: Delegate and Candidate Application Materials

Necessary forms and petitions are available on the following pages. You can also download them at: <https://act.nydems.org/forms>



STATEMENT OF CANDIDACY DISTRICT DELEGATE

I, _____, am an enrolled Democrat in
(first name, middle initial and last name)

the _____ Congressional District.
(number)

I reside at _____
(full address, number, street name, village, town, or city, zip)

My telephone number is _____.

I am _____.
(gender identification)

I hereby pledge to support the candidacy of _____
(name presidential candidate or "uncommitted.")

I hereby declare myself to be a candidate for District Delegate in the _____ Congressional District.
(number)

The following is optional:

I am (please check):

African-American ____; Latino ____; Native-American ____;

Asian-American/Pacific Islander ____; LGBTQ+ ____;

Veteran: ____; Branch: _____; Year/Type of Discharge: _____

Other _____
(please specify)

I have the following disability: _____.

I am ____ years of age.

Signature

Date

420 Lexington Avenue, Suite 1613 New York, NY 10170
Tel: (212) 725-8825
Fax: (646) 597-6195



**STATEMENT OF CANDIDACY
AT-LARGE DELEGATE OR ALTERNATE**

I, _____, am an enrolled Democrat in
(first name, middle initial and last name)

the _____ Congressional District.
(number)

I reside at _____
(full address, number, street name, village, town, or city, zip)

My telephone number is _____.

I am _____.
(gender identification)

I hereby pledge to support the candidacy of _____
(name presidential candidate or 'uncommitted').

I hereby declare myself to be a candidate for _____
(At-large Delegate or Alternate)

I hold the following party/elected official position:

I represent the following district or geographic location: _____

The following is optional:

I am (please check):

African-American ____; Latino ____; Native-American ____;

Asian-American/Pacific Islander ____; LGBTQ+ ____;

Veteran: ____; Branch: _____; Year/Type of Discharge: _____

Other _____
(please specify)

I have the following disability: _____

I am ____ years of age.

Signature

Date

420 Lexington Avenue, Suite 1613 New York, NY 10170
Tel: (212) 725-8825
Fax: (646) 597-6195

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**DECLARATION OF CANDIDACY FOR
PARTY LEADER AND ELECTED OFFICIAL DELEGATES**

DEADLINE: May 22, 2020

Please return via Email: Chair@nydems.org

Fax: (646) 597-6195

Or mail: 420 Lexington Avenue, Suite 1613 New York, NY 10170

I (full name) _____ do hereby declare my candidacy for Party Leader and Elected Official Delegate from New York for the 2020 Democratic National Convention. I affirm that I am a member of the Democratic Party and will not participate in the delegate selection process for any other Party.

My preferred Presidential Candidate is: _____

Please print clearly

Your Name: _____

Voting Address: _____

City, State, Zip: _____

Home Phone: _____ Other Phone: _____

Email: _____ Fax: _____

Signature: _____ Date: _____

Information for statistical purposes. Please indicate all that apply

Gender: _____ Age: 18-35 36-64 over 65

African-American Latinx Asian/Pacific Islander

Native American (and tribal affiliation) _____

Veteran (Branch, Discharge date and type) _____

LGBTQ+ Disability (type): _____

Signature

Date

420 Lexington Avenue, Suite 1613 New York, NY 10170
Tel: (212) 725-8825
Fax: (646) 597-6195

Sample Cover Sheet

Designating and Independent Petitions

[Place Name of Party or Independent Body Here]

Name of Candidate	Residence Address <small>(Also mailing address if different)</small>	Public Office or Party Position <small>(Include district number where appropriate)</small>

Volume Number	
Total Number of Volumes in Petition	

The petition contains the number, or in excess of the number, of valid signatures required by Election Law.

Contact Person to Correct Deficiencies:

Name	<hr/>	
<small>(Please print)</small>		
Residence	<hr/>	
Address	<small>(Also mailing address if different)</small> <hr/> <hr/>	
Phone	<hr/>	Fax <hr/> <small>(Include if notice by fax desired)</small>
Email	<hr/> <small>(Include if notice by email desired)</small>	

I hereby authorize that any notice of any determination made by the Board of Elections be transmitted to the person named above.

Optional: For candidates for statewide office, Member of Assembly or State Senator only

The following website address is submitted to be published on the state board of elections website pursuant to Election Law § 4-123 for the candidate listed opposite:

Name of Candidate	Website Address
<hr/>	<hr/>
Signature of Candidate or Agent	

Sample Cover Sheet

Designating and Independent Petitions
Filed In New York City and Counties Which Utilize
Petition Identification Numbering Systems

[Place Name of Party or Independent Body Here]

Name of Candidate	Residence Address <small>(Also mailing address if different)</small>	Public Office or Party Position <small>(Include district number where appropriate)</small>

Total Number of Volumes in Petition	
Identification Numbers	

The petition contains the number, or in excess of the number, of valid signatures required by Election Law.

Contact Person to Correct Deficiencies:

Name	<i>(Please print)</i>
Residence Address	<i>(Also mailing address if different)</i>
Phone	Fax <i>(Include if notice by fax desired)</i>
Email	<i>(Include if notice by email desired)</i>

I hereby authorize that any notice of any determination made by the Board of Elections be transmitted to the person named above.

Optional: For candidates for statewide office, Member of Assembly or State Senator only
The following website address is submitted to be published on the state board of elections website pursuant to Election Law § 4-123 for the candidate listed opposite:

Name of Candidate	Website Address

Signature of Candidate or Agent

Designating Petition Sec. 6-132, Election Law

I, the undersigned, do hereby state that I am a duly enrolled voter of the _____ Party and entitled to vote at the next primary election of such party, to be held on _____, 20_____, that my place of residence is truly stated opposite my signature hereto, and I do hereby designate the following named person (or persons) as a candidate (or candidates) for the nomination of such party for public office or for election to a party position of such party.

Name(s) of Candidate(s)	Public Office or Party Position (Include district number, if applicable)	Residence Address (Also post office address if not identical)

I do hereby appoint as a committee to fill vacancies in accordance with the provisions of the election law (here insert the names and addresses of at least three persons, all of whom shall be enrolled voters of said party):

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name of Signer (Signature required. Printed name may be added)	Residence	Enter Town or City (Except in NYC enter county)
1. _____ / _____ / 20_____			
Printed Name: _____			
2. _____ / _____ / 20_____			
Printed Name: _____			
3. _____ / _____ / 20_____			
Printed Name: _____			
4. _____ / _____ / 20_____			
Printed Name: _____			
5. _____ / _____ / 20_____			
Printed Name: _____			

(You may use fewer or more signature lines - this is only to show format.)

Complete ONE of the following

1. **Statement of Witness:** I (name of witness) _____ state: I am a duly qualified voter of the State of New York and am an enrolled voter of the _____ Party.

I now reside at (residence address) _____

Each of the individuals whose names are subscribed to this petition sheet containing (fill in number) _____ signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet.

I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Signature of Witness

Witness Identification Information: The following information for the witness named above must be completed prior to filing with the board of elections in order for this petition to be valid.

2. **Notary Public or Commissioner of Deeds:** On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing (fill in number) _____ signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her was true.

Signature and Official Title of Officer Administering Oath

2020 New York State Delegate Selection Plan – Updated on February 26, 2020



**STATEMENT OF CANDIDACY AND PLEDGE OF SUPPORT
PRESIDENTIAL CANDIDATE**

I, _____, in accordance with the Democratic National Committee's Rules, Call and regulation for the 2020 Democratic National Convention and with the 2020 Delegate selection Plan for the New York State Democratic Committee, certify that my campaign will take the following steps to encourage full participation on the part of all New York Democrats in the upcoming delegate selection process.

1. My campaign will encourage and assist delegate candidates from all of New York's Democratic constituencies – with a particular emphasis on underrepresented groups – to meet the necessary requirements to become delegates.
2. My campaign will encourage new voters – in particular, young voters and voters new to the Democratic Party – to participate in the New York presidential primary and delegate selection process.
3. My campaign will assist the New York State Democratic Committee's efforts to publicize New York's delegate selection process among all democrats, with a particular emphasis on underrepresented groups.
4. My campaign will timely submit lists of approved delegate candidates, making every effort to meet the New York State Democratic Committee's approved representational goals, including an equal division of gender.
5. My campaign will strive to provide, along with the approved delegate candidates, detailed demographic information with respect to each candidate.
6. My campaign will strive to ensure that approved candidates for the New York State Democratic Committee's allotted members of the 2020 Democratic National Committee's Permanent Standing Committees will meet the aforementioned representational goals and be equally divided by gender.
7. My campaign will make an effort to coordinate a fundraising campaign with the New York State Democratic Committee with the goal of financially supporting New York's delegates – regardless of their presidential preference – in their travel, room and board for the Democratic National Convention.

My authorized representative is: _____
(name)

This representative can be contacted by prospective delegate candidates at:

Phone: _____ Email: _____

Address: _____

420 Lexington Avenue, Suite 1613 New York, NY 10170
Tel: (212) 725-8825
Fax: (646) 597-6195

2020 New York State Delegate Selection Plan – Updated on February 26, 2020

Appendix M: Statement from the State Chair



NEW YORK STATE DEMOCRATIC COMMITTEE
420 LEXINGTON AVE • SUITE 1613
NEW YORK NY 10170

May 22, 2019

To Whom It May Concern:

As Chairman, I certify that the members of the New York State Democratic Committee approved and adapted the Plan submitted to the Rules and Bylaws Committee unanimously on May 22, 2019.

The proposed Plan, including all attachments and appendices, was placed on the State Party website during the 30-day public comment period. The State Party allowed submission of public comments to be submitted both digitally and by mail. All public comments have been included in the submitted Plan.

Sincerely,

Jay S. Jacobs
Chairman

2020 New York State Delegate Selection Plan – Updated on February 26, 2020

Appendix N: Public Comment Press Release

NEW YORK 2020 DEMOCRATIC PRESIDENTIAL DELEGATE SELECTION PLAN OPEN FOR PUBLIC COMMENT

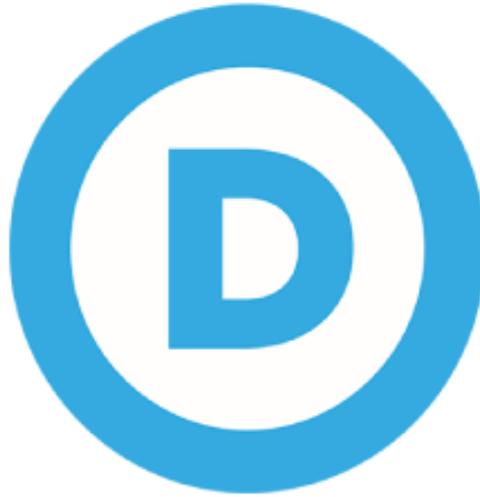
FOR IMMEDIATE RELEASE

New York, New York – On Wednesday, April 22, 2019, the New York State Democratic Committee released the initial draft of the 2020 New York State Democratic Committee Delegate Selection Plan. The Committee invites members of the Party and the public to submit comments for review by the Committee. The New York State Democratic Committee will review public comments and vote on the Delegate Selection Plan at a Special Meeting on May 22, 2019.

###

Appendix O: Public Comments

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DELEGATE SELECTION RULES

For the 2020 Democratic National Convention

Tom Perez, Chair

Adopted by the Democratic National Committee August 25, 2018

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DELEGATE SELECTION RULES

For the 2020 Democratic National Convention

Rule 1 Publication and Submission of State Party Rules

A. State parties shall adopt a Delegate Selection Plan, including an Affirmative Action Plan and Outreach and Inclusion Program (as defined in Rules 6 and 7) which contain explicit rules and procedures governing all aspects of the delegate selection process. These rules shall include, but are not limited to:

1. Procedures for electing and certifying delegates and alternates at all levels;
2. Timing of primary/caucuses/conventions;
3. Procedures providing for equal division in each state's convention delegation;
4. Procedures providing for the selection of the chair of the delegation;
5. Particulars concerning the scheduling of delegate selection meetings including methods by which each meeting or event will be publicized;
6. Affirmative Action Plans and Outreach and Inclusion Programs which include affirmative action and inclusion obligations of presidential candidates;
7. All filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by state law for delegate and alternate candidates and for presidential candidates;
8. All filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by State Party rules for delegate and

alternate candidates and for presidential candidates;

9. Procedures for ascertaining delegate/alternate preference at all stages;
10. Procedures for presidential candidate right of approval;
11. Method of awarding delegates and alternates to presidential candidates;
12. Methods and timetable for the selection of standing committee members;
13. Procedures for challenges of the delegate selection, affirmative action, and outreach and inclusion processes;
14. Methods and timetable for the selection of convention pages; and
15. Other appropriate provisions from these Rules, the Call, and the Regulations.

B. The following items are to be routinely included at an appropriate place in each state Delegate Selection Plan:

1. Eligibility requirements for participation in the delegate selection process in conformance with Rule 2 [Rule 2.A.];
2. Prohibition of cost and fees [Rule 2.D.];
3. Prohibition of participation by those participating in another party's process [Rule 2.E.];
4. One-meeting limitation for first-stage participants [Rule 3.E.];
5. "Six basic elements" of an open party [Rule 4];
6. Non-discrimination principles [Rule 5];

2020 Delegate Selection Rules for the Democratic National Convention

- 7. Requirement that all steps take place within calendar year of convention [Rule 12.B.];
- 8. Required identification of preference of candidates for delegate and alternate [Rule 13.A.];
- 9. Protection against coerced vote [Rule 13.I.];
- 10. Quorum requirements [Rule 16];
- 11. Proxy voting rules, if any [Rule 17];
- 12. Unit rule prohibition [Rule 18.A.];
- 13. Slate making limitations [Rule 18.B.]; and
- 14. Succession of alternates to delegate status and filling of vacancies in delegate positions [Rule 19].

C. Each State Party shall provide for a thirty (30) day¹ period of public comment to solicit opinion on the State's Delegate Selection Plan, Affirmative Action Plan and Outreach and Inclusion Program prior to adoption. All written public comments submitted to the state Democratic Committee shall be submitted along with the plans to the Rules and Bylaws Committee of the Democratic National Committee ("DNC Rules and Bylaws Committee").

D. State Delegate Selection Plans, including Affirmative Action Plans and Outreach and Inclusion Programs, shall be submitted to the DNC Rules and Bylaws Committee for approval on or before May 3, 2019.

E. The DNC Rules and Bylaws Committee shall act on the proposed plans as soon as practicable, but in no case later than September 13, 2019, or four months before the respective State's first determining step, whichever is earlier. Its decision shall be final and binding.

- F. Implementation of state Affirmative Action Plans and Outreach and Inclusion Programs shall begin no later than September 13, 2019, or four months before the respective state's first determining step, whichever is earlier.
- G. State Delegate Selection Plans shall specify the methods and timetable to be followed in selecting members of standing committees of the national convention. These procedures shall be in conformity with the rules to be contained in the Call for the 2020 Convention.
- H. The Democratic National Committee ("DNC") and the state parties shall publish and make available at no cost their rules, the 2020 National Delegate Selection Rules, and a clear and concise explanation of how Democratic voters can participate in the delegate selection process. The DNC shall prepare and provide at no cost to state parties a clear and concise explanation of the 2020 Delegate Selection Rules. This shall be done no later than October 1 of the calendar year immediately preceding the calendar year of the national convention.

Rule 2 **Participation**

- A. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats.
 - 1. Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded.
 - 2. Implementation of this administrative matter shall be delegated to the DNC Rules and Bylaws Committee.
- B. Nothing in these rules shall be interpreted to encourage or permit states with party registration and enrollment, or states that limit participation to Democrats only, to

¹ Unless otherwise explicitly specified, reference in these Rules to "day" or "days" means "calendar days." If the last day of a period falls on a Saturday, Sunday or a federally

recognized holiday, the time shall be extended to the next business day.

2020 Delegate Selection Rules for the Democratic National Convention

amend their systems to open participation to members of other parties.

C. State parties shall take all feasible steps to encourage non-affiliated and new voters to register or enroll, to provide simple procedures through which they may do so and to eliminate excessively long waiting periods for voters wishing to register or to change their party enrollment status. All Democrats who comply with Rule 2.A. shall be allowed to participate in the delegate selection process.

D. At no stage of the delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating in the delegate selection process. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation.

E. No person shall participate or vote in the nominating process for a Democratic presidential candidate who also participates in the nominating processes of any other party for the corresponding elections.

F. In accordance with Article Nine, Section 12 of the Charter of the Democratic Party of the United States, votes shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC Members or State Chairs and Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a process that is the first determining stage of the delegate election process and in which all individual voters are eligible to participate in accordance with the provisions of this Rule 2.

G. The casting of ballots over the Internet may be used as a method of voting in a vote only for presidential preference in a State Party-run process constituting the first determining stage in the presidential nominating process, and only if such casting of ballots over the Internet:

1. Is used in a system in which voters may cast their ballots in person on the day of such process and/or by mail, and in which casting of ballots over the Internet is an alternate means of voting;
2. Is accompanied by a comprehensive, proactive education and outreach program on the use of Internet voting that is set forth in the state's delegate selection plan and approved by the DNC Rules and Bylaws Committee;
3. Is conducted in accordance with a plan approved by the DNC Rules and Bylaws Committee that is included in the state's delegate selection plan, and that provides adequate measures to achieve security, reliability, access to eligible voters and transparency, including contractual and other safeguards to secure exclusive ownership and control by the State Party of voting data;
4. Is accomplished through a system which provides the voter with an opportunity to verify the voter's ballot and correct any error before the voter's vote is cast; which can be permanently maintained by the voter at the voter's option in paper, electronic or other form; and which produces a paper record of the voter's vote that is preserved and maintained by the State Party in the event of a manual audit, until the expiration of the time for filing an implementation challenge under these Rules.

H. State Delegate Selection Plans shall include a description of actions taken or to be taken by the State Party to seek enactment of legislation, rules, and policies at the state and local level to enhance voter and election security, that will:

1. Maintain secure and accurate state voter registration rolls, so that every eligible American who registers to vote has their personal information protected and secure;

2020 Delegate Selection Rules for the Democratic National Convention

- 2. Implement transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls;
- 3. Promote the acquisition, maintenance, and regular replacement of precinct based optical scan voting systems;
- 4. Ensure that any direct recording electronic systems in place have a voter verified paper record;
- 5. Implement risk limiting post-election audits such as manual audits comparing paper records to electronic records;
- 6. Ensure that all voting systems have recognized security measures; and
- 7. Use accessible and secure voting machines that make it possible for individuals with disabilities to vote securely and privately.

I. Each State Party shall include in its Delegate Selection Plan a description of steps taken or to be taken to assess and improve participation with respect to presidential preference and delegate selection contests and procedures.

- 1. Such steps shall include establishment, with DNC assistance, of year-round voter protection programs. As part of such programs, state parties are encouraged to support educational, administrative, legislative, and litigation based efforts to protect and expand the vote and advance election fairness and security. Such efforts may include the goals set forth below.

 - a. Expand access to voting, including by early voting, no excuse absentee, same-day voter registration, and voting by mail;
 - b. Ensure that voting locations are accessible, fairly placed, and adequate in number, and have a sufficient number of voting machines;
 - c. Speed up the voting process and minimize long lines;
 - d. Eliminate onerous and discriminatory voter identification requirements;
 - e. Count and include in the final total ballots from voters who are eligible to vote but cast their ballot in the wrong precinct, for offices for which they are eligible to vote; and
 - f. Facilitate military and overseas voting.

2. As part of encouraging participation in the delegate selection process by registered voters, state parties are encouraged to support efforts to make voter registration easier including:

- a. Voter registration modernization, including online voter registration and automatic and same-day registration;
- b. Pre-registration of high school students so that they are already registered once they reach voting age;
- c. Restoration of voting rights to all people who have served the time for their criminal conviction, without requiring the payment of court fees or fines; and
- d. Allow same-day or automatic registration for the Democratic presidential nominating process.

J. When employing government-run voting systems, it is important for State Parties to resist attempts at voter suppression, disenfranchisement, and ensure an open and inclusive process. These efforts include revising State Party rules and encouraging

2020 Delegate Selection Rules for the Democratic National Convention

administrative rules, legislation, or considering litigation to:

1. Allow same-day party switching for the Democratic presidential nominating process or to achieve state laws that allow voters to switch parties at least as late as the deadline for registering to vote.
- K. While parties are encouraged to use government-run primaries, in states where the State Party chooses to hold a Party-run process to establish presidential preference, the State Party's Delegate Selection Plan shall prevent attempts at voter suppression, disenfranchisement, and ensure an open and inclusive process. Further, the Rules and Bylaws Committee shall determine whether the State Party's Delegate Selection Plan meets the requirements specified in this section, including:
 1. Incorporating mechanisms with reasonable safeguards against error and fraud to vote absentee or vote early;
 2. Demonstrating that the State Party has the financial and technical ability to successfully run the process;
 3. Implementing same-day voter registration and party-affiliation changes at the voting location;
 4. Creating a process for publicly reporting the total statewide and district level results for each candidate based on the first expression of preference by the participants at the first determining step, as determined in the State's Plan;
 5. Requiring that the allocation of all national delegates, be locked in at the final expression of preference at the first determining step, as determined by the State's Plan, subject to recount;
 6. Ensuring final expressions of preference as part of the presidential nominating process are securely preserved, in a method to be specified in the State's Plan, that ensures the availability of a prompt and accurate recount or recanvas;
7. Providing a standard and procedure by which a presidential candidate may request a recount or recanvas that is paid for by the candidate and carried out in a timely manner;
8. Creating mechanisms that allow voters who are unable to be a part of the process in person to participate. This can include, but is not limited to those serving in the military, those with a disability or illness preventing participation, those who are not able to take time off from work or obtain child care, and other reasons; and
9. Taking appropriate steps to ensure voters in party-run processes, like those in primary states, have a right to participate in the process. These steps could include any required rules changes and the proper education and outreach to ensure accessibility, including specifically for people with disabilities and for people with limited English proficiency in accordance with the Americans With Disabilities Act and Sections 203 and 208 of the Voting Rights Act.

Rule 3

Scheduling of Delegate Selection Meetings

- A. All official Party meetings and events related to the national convention delegate selection process, including caucuses, conventions, committee meetings, filing dates, and Party enrollment periods, shall be scheduled for dates, times and publicly accessible places which would be most likely to encourage the participation of all Democrats, and must begin and end at reasonable hours. It shall be the responsibility of the State Party to select the dates, times and to locate and confirm the availability of publicly accessible facilities for all official party meetings and events

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related to the national convention delegate selection process.

B. All such meetings or events which are the first meeting or event in the delegate selection process shall be scheduled at times and dates which are uniform throughout the state, except where it is established by the State Party and approved by the DNC Rules and Bylaws Committee that such uniform times and dates would significantly reduce participation in the delegate selection process.

C. The times, dates, places, and rules for the conduct of all caucuses, conventions, meetings and other events involved in the delegate selection process shall be effectively publicized by the Party organization, official, candidate or member calling the same.

D. Concise statements in advance of all meetings and events concerning the relationship between the business to be conducted and the delegate selection process shall be effectively publicized by the Party organization, official, candidate or member calling the same.

E. No person shall participate in more than one meeting which is the first determinative step in the delegate selection process.

Rule 4 **An Open Party**

A. The Democratic National Committee reaffirms its commitment to the 1964 resolution, and requires the national and state parties to incorporate the Six Basic Elements, as updated, into their Party rules and to take appropriate steps to secure their implementation.

B. The 1964 Democratic National Convention adopted a resolution which conditioned the seating of delegates at future conventions on the assurances that discrimination in any State Party affairs on the ground of race, color, creed or national origin did not occur. The 1968 Convention adopted the 1964

Convention resolution for inclusion in the Call for the 1972 Convention. In 1966, the Special Equal Rights Committee, which had been created in 1964, adopted six anti-discrimination standards – designated as the Six Basic Elements. As our Party strives to progress in the fight against discrimination of all kinds, these Six Basic Elements have evolved and grown along with the constant push for more inclusion and empowerment. These working principles, as updated, are as follows:

1. All public meetings at all levels of the Democratic Party in each state should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as "status").
2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in any state should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on "status."
3. The time and place for all public meetings of the Democratic Party on all levels should be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.
4. The Democratic Party, on all levels, should support the broadest possible registration without discrimination based on "status."
5. The Democratic Party in each state should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels.

2020 Delegate Selection Rules for the Democratic National Convention

Publication of these procedures should be done in such fashion that all prospective and current members of each State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization. Each State Party should develop a strategy to provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack of awareness of the process for running for delegate, to ensure all Democratic voters understand the rules and timelines and their impact on voter participation.

- 6. The Democratic Party in each state should publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all positions as officers and representatives of the state Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office.
- C. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all "status" (as defined in Rule 4.B.1) members to participate in the delegate selection process.

Rule 5 Non-Discrimination

- A. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action and inclusion is hereby adopted.

- B. Discrimination on the basis of "status" in the conduct of Democratic Party affairs is prohibited.
- C. In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs, by virtue of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability, each State Party shall develop and submit Party outreach programs, including recruitment, education and training, in order to achieve full participation by such groups and diversity in the delegate selection process and at all levels of Party affairs.

Rule 6 Affirmative Action

- A. The promises of a democratically elected government and the right to vote have not always been extended equally to all Americans. Historically, certain groups of Americans have been explicitly denied the right to vote or have been subjected to discriminatory and exclusionary practices with the intended effect of denying them voting rights. In recognition of this past history of discriminatory denial of the franchise and in order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the national and state Democratic Parties shall adopt and implement affirmative action programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women.

- 1. The goal of such affirmative action shall be to achieve participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate.

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2. This goal shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs.

3. In the selection of each state's at-large delegation, priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women, if such priority of consideration is needed to fulfill the affirmative action goals outlined in the state's Delegate Selection Plan. Such remedial action is necessary in order to overcome the effects of past discrimination. Use of the at-large delegation to fulfill the plan's affirmative action goals does not obviate the need for the State Party to conduct outreach activities such as recruitment, education and training. Priority of consideration shall also be given to other groups as described in Rule 5.C, which are under-represented in Democratic Party affairs, in order to assist in the achievement of full participation by these groups.

4. The DNC will work with the State Party to ascertain the demographic make-up of the aforementioned groups of the state's Democratic electorate.

B. Performance under an approved Affirmative Action Plan and Outreach and Inclusion Program and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results.

C. State Delegate Selection Plans shall provide for equal division between delegate men and delegate women and alternate men and alternate women within the state's entire convention delegation (determined by gender-self-identification). For purposes of this rule, the entire delegation includes all pledged delegates and alternates and automatic delegates (including automatic party leaders and elected official delegates). In the case of gender non-binary delegates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender.

1. State Delegate Selection Plans shall, as far as mathematically practicable, also provide for equal division between district-level delegate men and delegate women and district-level alternate men and alternate women, as described in Rule 6.C.

2. The DNC Rules and Bylaws Committee shall have continuing jurisdiction to ensure compliance with this equal division requirement. No at-large delegate or alternate from a state shall be placed on the temporary roll of the 2020 Democratic National Convention unless the Rules and Bylaws Committee has certified to the Secretary of the Democratic National Committee that such state's delegation complies with this equal division rule. It shall be the duty of the DNC Rules and Bylaws Committee to determine such compliance as soon as practicable following the certification of the state's at-large delegates and alternates.

3. Notwithstanding sub-paragraph A.2 above, equal division at any level of delegate or committee positions between delegate men and delegate women or committeemen and committeewomen shall not constitute a violation of any provision thereof.

D. For purposes of providing adequate notice of the delegate selection process under Rule 3, the times, dates, places and rules for the conduct of all caucuses, conventions, meetings and other events involved in the delegate selection process shall be effectively publicized, multilingually where necessary, to encourage the participation of minority groups.

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- E. State Democratic Parties shall ensure that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders or women.
- F. Each state Affirmative Action Plan shall provide for the appointment of a representative state Affirmative Action Committee by March 1, 2019. Before the State Party submits its Plan to the DNC Rules and Bylaws Committee, the Affirmative Action Committee shall review the proposed outreach program required in Rule 5.C.
- G. Each State Affirmative Action Plan shall include outreach provisions to encourage the participation and representation of persons of low and moderate income, and a specific plan to help defray expenses of those delegates otherwise unable to participate in the national convention.
- H. State Parties in their Delegate Selection Plans shall impose reasonable specific Affirmative Action and Inclusion obligations upon presidential candidates consistent with the delegate selection system employed by the state.
 - 1. State Parties shall require presidential candidates to submit statements that specify what steps such candidates will take to encourage full participation in their delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate. Provided further that presidential candidates submit such full participation statements to the DNC Rules and Bylaws Committee at the same time they are submitted to state parties.
 - 2. State Parties shall require presidential candidates to submit demographic information with respect to candidates for delegate and alternate pledged to them.
- I. Each State Party shall certify to the Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used best efforts to ensure that their respective delegations at each level within a state's delegation shall fulfill the requirements of Rule 6 and Rule 7 established by the state's Delegate Selection Plan and that the respective delegations of each presidential candidate within the state's delegation shall be equally divided between men and women (as described in Rule 6.C).

Rule 7 **Outreach and Inclusion Programs**

The Democratic National Committee recognizes that other groups of Americans in addition to those described in Rule 6 may be under-represented in Party affairs. These groups include members of the LGBTQ+ community, people with disabilities, and youth. The National and State Parties shall adopt and implement Outreach and Inclusion Programs in order to achieve the full participation of members of these and other groups in the delegate selection process and in all party affairs, as indicated by their presence in the Democratic electorate. The DNC will work with the State Party to ascertain the presence of these groups in the State's Democratic electorate. As is already the practice in most states, State Parties should use goals to achieve these ends; however, in no event may such participation be accomplished by the use of quotas.

Rule 8 **National Convention Delegate Apportionment**

- A. Apportionment of district-level delegates within states shall be based on one of the following:
 - 1. A formula giving equal weight to total population and to the average of the vote for the Democratic candidates in the two most recent presidential elections;

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- 2. A formula giving equal weight to the vote for the Democratic candidates in the most recent presidential and gubernatorial elections;
- 3. A formula giving equal weight to the average of the vote for the Democratic candidates in the two most recent presidential elections and to Democratic Party registration or enrollment as of January 1, 2020; or
- 4. A formula giving one-third (1/3) weight to each of the formulas in items (1), (2), and (3).

B. Apportionment for each body selecting delegates to state, district, and county conventions shall be based upon population and/or some measure of Democratic strength.

C. The Call for the 2020 Convention shall state the base delegation for each delegation. Seventy-five percent (75%) of each state's base delegation shall be elected at the congressional district level or smaller. Twenty-five percent (25%) of each state's base delegation shall be elected at large. Delegates so elected shall hereafter be termed "district-level" and "at-large" delegates, respectively. Each State Democratic Chair shall certify all delegates in writing to the Secretary of the DNC.

D. In those states with more than one congressional district, after the election of district-level delegates and prior to the selection of at-large delegates, each State Democratic Chair shall certify pledged party leader and elected official delegates equal to 15% of the state's base delegation selected pursuant to Rule 10.

E. The election of district-level and at-large delegates and alternates may take place at the same meeting, provided that district-level delegates are selected first. In states with one congressional district the election of delegates selected in accordance with Rules 8.B., 8.C., and 10.A., may be conducted simultaneously. In all cases, affirmative action, inclusion and fair

reflection guidelines must be met and the Democratic Chair of each such state shall make the certifications required by subsection 8.D.

Rule 9 **Automatic Party Leaders and Elected Official Delegates**

A. For the purpose of these rules, the term "automatic" used in this Rule corresponds with the term "unpledged," as used in Article Two, Section 4(h) of the Charter. The procedure to be used for certifying automatic party leader and elected official delegates is as follows:

Not later than March 6, 2020, the Secretary of the Democratic National Committee shall officially confirm to each State Democratic Chair the names of the following automatic delegates who legally reside in their respective state and who shall be recognized as part of their state's delegation unless any such member has publicly expressed support for the election of, or has endorsed, a presidential candidate of another political party:

- 1. The individuals recognized as members of the DNC (as set forth in Article Three, Sections 2 and 3 of the Charter of the Democratic Party of the United States); and,
- 2. The Democratic President and the Democratic Vice President of the United States, if applicable; and,
- 3. All Democratic members of the United States House of Representatives and all Democratic members of the United States Senate; and,
- 4. The Democratic Governor, if applicable; and,
- 5. All former Democratic Presidents, all former Democratic Vice Presidents, all former Democratic Leaders of the U.S. Senate, all former Democratic Speakers of the U.S. House of Representatives

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and Democratic Minority Leaders, as applicable, and all former Chairs of the Democratic National Committee.

B. Except as provided in 9.A. above, no person shall serve as an automatic delegate at any level of the delegate selection process by virtue of holding a public or party office.

Rule 10

Pledged Party Leaders and Elected Official Delegates

A. Following the selection of district-level delegates under 8.E., pledged party leader and elected official delegates are to be selected subject to the following procedures:

1. Persons shall be considered for pledged party leader and elected official delegates and alternates according to the following priority: big city mayors and state-wide elected officials to be given equal consideration; state legislative leaders, state legislators, and other state, county and local elected officials and party leaders.
2. These slots shall be allocated on the same basis as the state's at-large delegates.
3. If persons eligible for pledged party leader and elected official delegate positions have not made known their presidential preference under the procedures established by the state pursuant to Rule 13 for candidates for district-level and at-large delegate positions, their preferences shall be ascertained through alternative procedures established by the State Party, which shall require a signed pledge of support for a presidential candidate. Such an alternative system shall have a final deadline for submitting a pledge of support after the selection of all district-level delegates has been completed and must provide an opportunity for disapproval by the presidential candidate or the candidate's authorized representative.

B. A state's party leader and elected official delegates may be chosen by a state convention or by a committee consisting of a quorum of district-level delegates. They may also be chosen by the State Party Committee, as recognized by the Democratic National Committee, but only if the state's Delegate Selection Plan is in full compliance with these rules, and provided:

1. Membership on the State Party Committee is apportioned on the basis of population and/or some measure of Democratic strength;
2. Members of the State Party Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection;
3. Such delegates are elected at a public meeting subsequent to the election of district-level delegates;
4. Members of the State Party Committee exercising such authority shall have been elected no earlier than the calendar year of the previous national convention; and
5. Membership of the State Party Committee complies with the equal division requirements of Article Nine, Section 16 of the Charter of the Democratic Party of the United States.

Rule 11

Selection of At-Large Delegates

A. The selection of at-large delegates shall be used, if necessary, to achieve the equal division of positions between men and women and the representation goals established in the State Party's Affirmative Action Plan and Outreach and Inclusion Program. Such goals apply to the state's entire delegation considered as a whole. For purposes of this rule, the entire

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delegation includes all automatic as well as all pledged delegates. Delegates and alternates shall each, as a group, be equally divided and, to the extent possible, each as a group shall reflect the representation goals established in the state's Affirmative Action Plan and Outreach and Inclusion Program.

- B. A state's at-large delegates and alternates shall be selected by one of the bodies, subject to the same conditions specified in Rule 10.B. above, provided, however, the State Party Committee may choose such delegates and alternates only if the state's Delegate Selection Plan is in full compliance with these rules.
- C. At-large delegates and alternates (including pledged party leader and elected official delegates, which shall include those to be allocated to uncommitted status) in primary states shall be allocated according to the state-wide primary vote or, in states holding no state-wide primary, according to the division of preferences among convention and caucus participants. In non-primary states which do not hold state conventions authorized to elect delegates, at-large delegates shall be apportioned according to the division of preferences among district-level delegates at the time of district-level selection. If a presidential candidate entitled to an allocation under this rule is no longer a candidate at the time at-large delegates are selected, his/her allocation shall be proportionately divided among the other preferences entitled to an allocation.

Rule 12 **Timing of the Delegate Selection Process**

- A. No meetings, caucuses, conventions or primaries which constitute the first determining stage in the presidential nomination process (the date of the primary in primary states, and the date of the first tier caucus in caucus states) may be held prior to the first Tuesday in March or after the second Tuesday in June in the calendar year of the national convention. Provided,

however, that the Iowa precinct caucuses may be held no earlier than 29 days before the first Tuesday in March; that the New Hampshire primary may be held no earlier than 21 days before the first Tuesday in March; that the Nevada first-tier caucuses may be held no earlier than 10 days before the first Tuesday in March; and that the South Carolina primary may be held no earlier than 3 days before the first Tuesday in March.

- B. All steps in the delegate selection process, including the filing of presidential candidates, must take place within the calendar year-of the Democratic National Convention (except as otherwise provided in these rules or specifically allowed by the DNC Rules and Bylaws Committee).

Rule 13 **Presidential Preference**

- A. All candidates for delegate and alternate in caucuses, conventions, committees and on primary ballots shall be identified as to presidential preference or uncommitted status at all levels of a process which determines presidential preference. Candidates may state a preference for only one presidential candidate, including uncommitted at any time. In no case shall a candidate for delegate or alternate indicate more than one such presidential preference at each level.
- B. All persons wishing to be elected to a district-level or at-large delegate position must file a statement of candidacy designating the presidential or uncommitted preference of the delegate candidate and a signed pledge of support for the presidential candidate (including uncommitted status) the person favors, if any, with the State Party by a date certain as specified in the state's Delegate Selection Plan. Persons wishing to be elected as pledged party leader and elected official delegates shall comply with Rule 10.B.3.

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- C. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions, except that the state may allow candidates who were not chosen at the delegate level to be considered at the alternate level.
- D. Prior to the selection of national convention delegates and alternates, the State Party shall convey to the presidential candidate, or that candidate's authorized representative(s), a list of all persons who have filed for delegate or alternate positions pledged to that presidential candidate. All such delegate and alternate candidates shall be considered bona fide supporters of the presidential candidate whom they have pledged to support, unless the presidential candidate, or that candidate's authorized representative(s), signifies otherwise in writing to the State Party by a date certain as specified in the state's Delegate Selection Plan.
 - 1. Presidential candidates shall certify in writing to the Democratic State Chair the name(s) of their authorized representative(s) by a date certain.
 - 2. In states where delegates are voted upon on the ballot, the date by which the presidential candidate, or that candidate's authorized representative(s), signifies approval or disapproval of the list of delegate and alternate candidates in writing to the State Party as required by Rule 13.D., must allow sufficient time to ensure that names removed from the list do not appear on the ballot.
 - 3. Presidential candidates or their authorized representatives shall not be required to exercise their right of candidate approval with respect to pledged party leader and elected official (PLEO) delegate candidates until such time after the district-level delegates have been elected.
 - 4. Presidential candidates or their authorized representatives shall not be required to exercise their right of candidate approval with respect to at-large delegate candidates until such time after the pledged party leader and elected official (PLEO) delegates have been elected.
- E. National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate.
 - 1. Presidential candidates may not remove any candidate for a district-level delegate or alternate position from the list of bona fide supporters unless, at a minimum, three (3) names remain for every such position to which the presidential candidate is entitled. Provided, however, that in states where individual district-level delegates and alternates are voted upon on a primary ballot, the presidential candidate, or that candidate's authorized representative(s), may approve a number of delegate candidates or alternate candidates equal to or greater than the number of delegates or alternates allocated to the district.
 - 2. Presidential candidates, in consultation with the State Party, may remove any candidate for at-large and pledged party leader and elected official delegate or alternate position from the list of bona fide supporters as long as, at a minimum, one (1) name remains for every national convention delegate or alternate position to which the presidential candidate is entitled, except that a state may provide in its delegate selection plan, if the plan is approved by the Rules and Bylaws Committee, that presidential candidates may remove any candidate for an at-large and party leader and elected official delegate or alternate position from the list of bona fide supporters as long as, at a minimum, two (2) names remain for

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every position to which the presidential candidate is entitled.

F. State parties shall ensure that state Delegate Selection Plans provide fair and adequate time for persons to file for delegate or alternate positions, and for presidential candidates, or their authorized representative(s), to review the list of persons who have filed, and to remove from that list persons not confirmed by the presidential candidate or his/her representative(s) as bona fide supporters of the presidential candidate.

G. Except in states where individual delegates and alternates are selected on the primary ballot, district-level national convention delegates and alternates pledged to a presidential candidate (including uncommitted status) shall be selected or nominated by a caucus of persons from the unit electing the delegates and alternates who sign statements of support for that presidential candidate. Uncommitted delegates and alternates shall be elected by the uncommitted caucus from the appropriate unit.

H. A district-level delegate and alternate candidate may run for election only within the district in which they are registered to vote. For purposes of these rules, all delegates and alternates at any level of the delegate selection process must be bona fide Democrats (which shall include being registered as a Democrat in states that permit Democratic Party registration) who have the interests, welfare and success of the Democratic Party of the United States at heart, who subscribe to the substance, intent and principles of the Charter and the Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith.

I. No delegate at any level of the delegate selection process shall be mandated by law or Party rule to vote contrary to that person's presidential choice as expressed at the time the delegate is elected.

J. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them.

K. 1. Based on the right of the Democratic Party to freely assemble and to determine the criteria for its candidates, it is determined that all candidates for the Democratic nomination for President or Vice President shall:

- a. be registered to vote, and shall have been registered to vote in the last election for the office of President and Vice President; and
- b. as determined by the National Chairperson of the Democratic National Committee, be a bona fide Democrat whose record of public service, accomplishment, public writings, and/or public statements affirmatively demonstrates that the candidate is faithful to the interests, welfare, and success of the Democratic Party of the United States at heart, who subscribes to the substance, intent, and principles of the Charter and the Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith.

2. It is further determined that these requirements are in addition to the requirements set forth by the United States Constitution and any law of the United States.

Rule 14 **Fair Reflection of Presidential Preferences**

A. Delegates shall be allocated in a fashion that fairly reflects the expressed presidential preference or uncommitted status of the primary voters or, if there is no binding primary, the convention and/or caucus participants.

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B. States shall allocate district-level delegates and alternates in proportion to the percentage of the primary or caucus vote won in that district by each preference, except that preferences falling below a fifteen percent (15%) threshold shall not be awarded any delegates. Subject to section F. of this rule, no state shall have a threshold above or below fifteen percent (15%). States which use a caucus/convention system, shall specify in their Delegate Selection Plans the caucus level at which such percentages shall be determined.

C. A presidential candidate or his/her authorized representative(s) should act in good faith to slate delegate and alternate candidates, however, in any event, if a presidential candidate (including uncommitted status) has qualified to receive delegates and alternates but has failed to slate a sufficient number of delegate and alternate candidates, then additional delegates and alternates for that preference will be selected in a special post-primary procedure. The State Party will administer special post-primary procedures according to rules approved by the DNC Rules and Bylaws Committee and such procedures should be set forth in the state's delegate selection plan, where applicable.

D. District-level delegates and alternates shall be allocated according to the following procedures:

Step 1: Tabulate the percentage of the vote that each presidential preference (including uncommitted status) receives in the congressional district to three decimals.

Step 2: Retabulate the percentage of the vote to three decimals, received by each presidential preference excluding the votes of presidential preferences whose percentage in Step 1 falls below 15%.

Step 3: Multiply the number of delegates to be allocated by the percentage

received by each presidential preference.

Step 4: Delegates shall be allocated to each presidential preference based on the whole numbers which result from the multiplication in Step 3.

Step 5: Remaining delegates, if any, shall be awarded in order of the highest fractional remainders in Step 3.

E. At-large and pledged party leader and elected official delegate and alternate positions shall be allocated to presidential preferences by reference to primary or convention votes or to the division of preference among district-level delegates or alternates, as the case may be, as specified in Rule 11.C., except that a preference falling below a threshold of fifteen percent (15%) shall not be awarded any delegates or alternates at this level. Such delegates and alternates in primary states shall be allocated to presidential preference (including uncommitted status) according to the statewide primary vote.

F. In all situations where no preference reaches the applicable threshold, the threshold shall be half the percentage of the vote received at each level of the delegate selection process by the front-runner.

G. For the purpose of fairly reflecting the division of preferences, the non-binding advisory presidential preference portion of primaries shall not be considered a step in the delegate selection process and is considered detrimental. State Parties must take steps to educate the public that a non-binding presidential preference event is meaningless, and State Parties and presidential candidates should take all steps possible not to participate.

1. In a state that uses a caucus and/or convention to determine presidential preference of voters, the plan must provide for the timely reporting of the election results to the State Party.

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Rule 15
Petition Requirements and Filing Deadlines

- A. If a state requires the filing of petitions with the signatures of registered/enrolled voters as the sole method to place a presidential candidate's name on the primary ballot in connection with the Democratic presidential nominating process, such number of valid signatures shall not exceed 5,000.
- B. No fee in excess of \$2,500 may be charged (either to a presidential campaign or State Party) as the sole method to place a presidential candidate on the ballot in connection with the Democratic presidential nominating process. If state law requires such a fee in excess of \$2,500, such law was in place prior to 2018, and a State Party has taken provable, positive steps to change such law, then a State Party may seek a waiver of this provision to charge such a fee to presidential campaigns.
- C. If a state requires the filing of a petition with the signatures of registered/enrolled voters in order to have a delegate/alternate candidate gain access to the primary ballot in connection with the Democratic presidential nominating process, the number of valid signatures shall not exceed either one half of one percent (.5%) of the registered/enrolled Democrats in such district or one half of one percent (.5%) of the total votes in such district for all Democratic presidential candidates (including uncommitted) during the immediately preceding presidential nominating process, whichever is lower, but in no event shall the number of valid signatures required exceed 500.
- D. Subject to the prior sections of this rule, the number of valid signatures required of a presidential candidate to file a petition to gain access to the primary ballot, and the number of valid signatures required of a delegate/alternate candidate to gain access to the primary ballot, and the fees required to be paid to the state by a presidential

candidate and by a delegate/alternate candidate to gain access to the primary ballot, in connection with the Democratic presidential nominating process, shall not exceed those in effect in the particular state as of January 1, 1994.

- E. No deadline for the filing of petitions for participation in the presidential nomination process by a presidential candidate shall be less than 30 days in advance of the primary or caucus nor more than 75 days in advance of the primary or caucus.
- F. No candidate for delegate or alternate shall be required to file a statement of candidacy or a pledge of support as required by Rule 13.B. prior to 30 days before such delegate or alternate candidate is to be selected or elected in a primary, caucus or pre-primary caucus; provided, however, that in states holding a presidential primary where individual district-level delegates or alternates are to be voted upon on the ballot, no candidate for delegate or alternate shall be required to submit or file a statement of candidacy or a pledge of support prior to 90 days before the date on which they are to be voted upon.
- G. No candidate for at-large or pledged party leader and elected official delegate or alternate shall be required to file a statement of candidacy or a pledge of support required by Rule 13.B. prior to 30 days before the date when the delegate or alternate is to be selected or voted upon.
- H. No state's delegate selection rules may require the filing of district-level delegate or alternate candidates pledged to a presidential candidate or uncommitted status as a condition of access by a presidential candidate to the primary ballot for voting upon presidential preference.

Rule 16
Quorum Requirements

No less than forty percent (40%) of the members of any Party body above the first level of the delegate selection process shall constitute a

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quorum for any business pertaining to the selection of convention delegates.

Rule 17 **Proxy Voting**

To insure full participation in the delegate selection process, State Party rules may, at their discretion, provide for proxy voting. Such rules shall allow an accredited participant in a caucus, convention or committee meeting, after having established credentials, to register the non-transferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement). Unless otherwise specified, a proxy shall be deemed to be general and uninstructed. No such rule shall allow a person to hold more than one (1) proxy at a time.

Rule 18 **Unit Rule and Slate-Making**

- A. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process.
- B. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process.

Rule 19 **Alternates and Vacancies**

- A. Alternate delegates shall be selected by primary, convention or committee processes subject to the same National Party Rules

applicable to the selection of delegates, except that the provisions of Rule 9.A. shall not apply to the election of alternates. Each State Democratic Chair shall certify all alternates in writing to the Secretary of the DNC.

- B. If a given presidential preference is entitled to one or more delegate positions in a state but would not otherwise be entitled to an alternate position, that preference shall be allotted one at-large alternate position.
- C. The proportions of alternates elected at the district level, and at-large, and as pledged party leader and elected official alternates, may be the same as the proportions of delegates elected in those categories.
- D. Each state Delegate Selection Plan shall specifically provide how and under what conditions an alternate is to replace or act in lieu of (collectively referred to as "replace" or "replaces") a delegate.
- 1. Delegate Selection Plans may specify one or any combination of the following alternatives for permanent and temporary replacements:
 - a. The delegate chooses the alternate;
 - b. The delegation chooses the alternate;
 - c. The alternate who receives the highest number of votes; or
 - d. Such other process as protects the interests of presidential candidates, delegates and alternates.
- 2. If a delegate or alternate candidate who has been elected but not yet certified to the Secretary of the DNC resigns, dies or is no longer eligible to serve, the delegate-elect or alternate-elect shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom the delegate or alternate was pledged.

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3. A permanent replacement occurs when a delegate resigns, dies or is no longer eligible to serve prior to or during the National Convention and the alternate replaces the delegate for the remainder of the National Convention. Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. They shall be of the same presidential preference (including uncommitted status) and gender of the delegate they replace, and to the extent possible shall be from the same political subdivision within the state as the delegate; except in the case where the presidential candidate has only one alternate, in which case, that alternate shall become the certified delegate.

4. A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place. Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the delegate they replace, and to the extent possible shall be of the same gender and from the same political subdivision within the state as the delegate.

- E. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same sex and, to the extent possible, from the same political subdivision as the alternate being replaced. Each replacement of a vacant alternate position shall be certified in writing to the Secretary of the DNC by the State Democratic Chair.

Rule 20
DNC Rules and Bylaws Committee

- A. The DNC Rules and Bylaws Committee will assist in the administration and enforce affirmative action, inclusion and delegate selection requirements for the national and state Democratic parties.

- B. The DNC Rules and Bylaws Committee shall implement the Delegate Selection Rules in a manner consistent with these rules.

- C. The DNC Rules and Bylaws Committee will provide State Parties with a model Delegate Selection Plan and an Affirmative Action Plan and Outreach and Inclusion Program.

- D. The DNC Rules and Bylaws Committee shall:
 1. review Affirmative Action Plans, Outreach and Inclusion Programs and Delegate Selection Plans submitted by State Parties and approve or recommend changes in such plans;
 2. conduct periodic evaluations and provide technical assistance to state parties on Affirmative Action Plan, Outreach and Inclusion Program and delegate selection implementation; and
 3. hear and recommend solutions to resolve complaints regarding Delegate Selection Plans, including Affirmative Action Plans and Outreach and Inclusion Programs, unresolved by appropriate state party bodies.

- E. The DNC Rules and Bylaws Committee shall retain jurisdiction over the approval of amendments to state Delegate Selection Plans and state delegation compliance with equal division requirements, even after the Convention Credentials Committee assumes jurisdiction over challenges to the credentials of delegates.

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- F. No later than December 21, 2018, the DNC Rules and Bylaws Committee shall send to state parties its regulations adopted pursuant to these rules and a checklist.
- G. The DNC shall allocate sufficient financial resources and staff to implement this rule.
- b. If challenged and upheld, the compliance of such implementation programs shall be conclusive but not as to compliance or non-compliance that may occur after the date of the challenge.

Rule 21 Challenges

- A. Jurisdictional Challenges. Any challenges to a State Party organization in respect to its status as the body entitled to sponsor a delegation from that state must be presented to the DNC at any time up to thirty (30) days prior to the initiation of the state's delegate selection process. Such a challenge must be brought by at least fifteen (15) Democrats from the state.
- B. Submission, Non-Implementation and Violation Challenges. Failure to submit or implement an approved Affirmative Action Program and Outreach and Inclusion Program by the deadline specified in these rules shall constitute grounds for a challenge with the burden of proof on the challenged party.
 - 1. At any time up to thirty (30) days prior to the initiation of the state's delegate selection process, any group of not less than fifteen (15) Democrats in that state can challenge the Affirmative Action Plan and Outreach and Inclusion Program on the basis of non-implementation of a specific requirement of a state plan, which challenge shall include reasonable documentation of alleged violations. (In such challenges, the challenging party shall have the burden of proof, but the challenged party shall present its case first.)
 - a. In the absence of any such challenge, the implementation of any such program shall be presumptively in compliance.
- b. If challenged and upheld, the compliance of such implementation programs shall be conclusive but not as to compliance or non-compliance that may occur after the date of the challenge.
- 2. Challenges regarding alleged violation of an approved Delegate Selection Plan shall first be brought to the appropriate state Democratic Party body for a decision to be rendered within twenty-one (21) days. After due notice, any aggrieved party shall have the right to appeal to the DNC Rules and Bylaws Committee within ten (10) days following the decision of the state body according to procedures established by DNC Rules and Bylaws Committee.
- 3. The DNC Rules and Bylaws Committee shall either certify compliance, certify non-compliance or require corrective action after which compliance or non-compliance shall be certified.
- C. 1. a. Violation of timing: In the event the Delegate Selection Plan of a State Party provides or permits a meeting, caucus, convention or primary which constitutes the first determining stage in the presidential nominating process to be held prior to or after the dates for the state as provided in Rule 12 of these rules, or in the event a state holds such a meeting, caucus, convention or primary prior to or after such dates, the number of pledged delegates elected in each category allocated to the state pursuant to the Call for the National Convention shall be reduced by fifty (50%) percent, and the number of alternates shall also be reduced by fifty (50%) percent. In addition, none of the members of the Democratic National Committee and no other automatic delegate allocated pursuant to Rule 9.A. from that state shall be permitted to vote as members of the state's delegation.

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In determining the actual number of delegates or alternates by which the state's delegation is to be reduced, any fraction below .5 shall be rounded down to the nearest whole number, and any fraction of .5 or greater shall be rounded up to the next nearest whole number.

- b. A presidential candidate who campaigns in a state where the State Party is in violation of the timing provisions of these rules, or where a primary or caucus is set by a state's government on a date that violates the timing provisions of these rules, may not receive pledged delegates or delegate votes from that state. Candidates may, however, campaign in such a state after the primary or caucus that violates these rules. "Campaigning" for purposes of this section includes, but is not limited to, purchasing print, internet, or electronic advertising that reaches a significant percentage of the voters in the aforementioned state; hiring campaign workers; opening an office; making public appearances; holding news conferences; coordinating volunteer activities; sending mail, other than fundraising requests that are also sent to potential donors in other states; using paid or volunteer phoners or automated calls to contact voters; sending emails or establishing a website specific to that state; holding events to which Democratic voters are invited; attending events sponsored by state or local Democratic organizations; or paying for campaign materials to be used in such a state. The Rules and Bylaws Committee will determine whether candidate activities are covered by this section.

- 2. Violation of proportional representation: In the event the Delegate Selection Plan of a State Party provides or permits the pledged delegates or alternates to be allocated to a presidential preference

(including uncommitted status) other than as provided under Rule 14 of these rules, or in the event a State Party, in fact, allocates its pledged delegates or alternates to a presidential preference (including uncommitted status) other than as provided under Rule 14 of these rules, the delegation of the state shall be reduced by the same amount and as provided in section C.(1) of this rule.

- 3. Violation of the threshold: In the event the Delegate Selection Plan of a State Party provides or permits a threshold other than 15% as set forth in Rule 14 of these rules, or in the event a State Party in fact permits the implementation of a threshold other than 15% as provided in Rule 14 of these rules, the delegation of the state shall be reduced by the same amount and as provided in section C.(1) of this rule.

- 4. Upon a determination of the DNC Rules and Bylaws Committee that a state is in violation as set forth in subsections (1), (2) or (3) of section C. of this rule, the reductions required under those subsections shall become effective automatically and immediately and without further action of the DNC Rules and Bylaws Committee, the Executive Committee of the DNC, the DNC or the Credentials Committee of the Democratic National Convention.

- 5. Nothing in the preceding subsections of this rule shall be construed to prevent the DNC Rules and Bylaws Committee from imposing additional sanctions, including, without limitation, those specified in subsection (6) of this section C., against a State Party and against the delegation from the state which is subject to the provisions of any of subsections (1) through (3) of this section C., including, without limitation, establishing a committee to propose and implement a process which will result in the selection of a delegation from the affected state which shall (i) be broadly representative, (ii) reflect the state's division of presidential preference and

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uncommitted status and (iii) involve as broad participation as is practicable under the circumstances.

6. Nothing in these rules shall prevent the DNC Rules and Bylaws Committee from imposing sanctions the Committee deems appropriate with respect to a state which the Committee determines has failed or refused to comply with these rules, where the failure or refusal of the State Party is not subject to subsections (1), (2) or (3) of this section C. Possible sanctions include, but are not limited to: reduction of the state's delegation; pursuant to Rule 22.C., recommending the establishment of a committee to propose and implement a process which will result in the selection of a delegation from the affected state which shall (i) be broadly representative, (ii) reflect the state's division of presidential preference and uncommitted status and (iii) involve as broad participation as is practicable under the circumstances; reducing, in part or in whole, the number of the state's members to the Standing Committees; reducing, in part or in whole, the number of guests, VIP and other passes/tickets to the National Convention and related functions; assignment of location of the state's delegates and alternates in the Convention hall; and assignment of the state's housing and other convention related facilities.

7. In the event a state shall become subject to subsections (1), (2) or (3) of section C. of this rule as a result of state law but the DNC Rules and Bylaws Committee, after an investigation, including hearings if necessary, determines the State Party and the other relevant Democratic party leaders and elected officials took all provable, positive steps and acted in good faith to achieve legislative changes to bring the state law into compliance with the pertinent provisions of these rules and determines that the State Party and the other relevant Democratic party leaders and elected officials took all provable, positive steps and acted in good faith to achieve legislative changes to bring the state law into compliance with the pertinent provisions of these rules and that it and the other relevant Democratic party leaders and elected officials took all provable, positive steps and acted in good faith in attempting to prevent the legislative changes which resulted in state law that fails to comply with the pertinent provisions of these rules.

8. A State Party may provide in its Delegate Selection Plan the specific method and procedures by which it will reduce its delegation pursuant to this Rule 21 in the event the State Party or delegation becomes subject to this Rule 21 by which categories of delegates must be reduced by 50%, which specific method and procedures shall be subject to the review and approval of the DNC Rules and Bylaws Committee. In the event a state's Delegate Selection Plan does not provide for the specific method and procedures referred to in the immediately preceding sentence, or in the event the state's Delegate Selection Plan is either not approved by the DNC Rules and Bylaws Committee or the specific method and procedures referred to in the first sentence of this subsection (8) are not approved by the DNC Rules and Bylaws Committee, or in the event a state's Delegate Selection Plan specifies the method and procedures which have been approved by the DNC Rules and Bylaws Committee, but the State Party fails or refuses to implement those

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specific method and procedures, and in the event the state's delegation is required to be reduced pursuant to this Rule 21, then the DNC Rules and Bylaws Committee shall, by lottery, or other appropriate method determined by the DNC Rules and Bylaws Committee, determine which delegates and alternates shall not be a part of the state's delegation in order to achieve the reduction of the state's delegation pursuant to this Rule 21. Any reduction of delegates under this provision shall be accomplished in a manner which complies with the requirement of proportional representation as provided for in Rule 14.

- 9. Except as provided by subsection (7) of this section C., the fact that a State Party took provable, positive steps as provided in Rule 22 of these rules shall not preclude the state's delegation from being subject to the sanctions set forth in subsections (1), (2), (3), (4) and (5) of this section C.
- D. Unresolved Challenges and Report to the Credentials Committee. The DNC Rules and Bylaws Committee shall report its activities, together with all challenges and complaints, to the Credentials Committee of the Democratic National Convention. In cases involving unresolved challenges which are appealed to the Credentials Committee, the burden of proof shall rest with the party presenting the challenge.

Rule 22 **State Legislative Changes**

- A. Subject to Rule 21.C. of these Rules, wherever any part of any section contained in these rules conflicts with existing state laws, the State Party shall take provable positive steps to achieve legislative changes to bring the state law into compliance with the provisions of these rules.
- B. Provable positive steps shall be taken in a timely fashion and shall include, but not be

limited to: the drafting of corrective legislation; public endorsement by the State Party and the other relevant Democratic party leaders and elected officials of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the State Party lobbying state legislators, other public officials, Party officials and Party members; encouraging consideration of the legislation by the appropriate legislative committees and bodies.

- C. A State Party may be required by a vote of the DNC Executive Committee upon a recommendation of the DNC Rules and Bylaws Committee to adopt and implement an alternative Party-run delegate selection system which does not conflict with these rules, regardless of any provable positive steps the state may have taken.